



# भारत का राजपत्र

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इस भाग में जिन पृष्ठ संख्या वी जाती है जिन्हें कि यह भाग संख्या के सम से  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

भाग II—भाग 3—उप-भाग (ii)

PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए साधित भारतीय और अधिसूचनाएँ

Statutory Orders and Notifications Issued by the Ministries of the Government of India  
(Other than the Ministry of Defence)

वित्त मंत्रालय  
(राजस्व विभाग)

आदेश  
नई दिल्ली, 1 नवम्बर, 2000  
स्टाम्प

का.आ. 2459.—भारतीय स्टाम्प अधिनियम, 1899  
(1899 का 2) की धारा 9 की उपधारा (1) के अंडे (ख) द्वारा प्रस्तु शक्तियों का प्रयोग करते हुए, केन्द्रीय मंत्रालय एवं द्वारा जारी किए जाने वाले मात्र चार सौ लाख रुपये का समेकित स्टाम्प भूल्क अदा करने की अनुमति प्रदान करती है जो उक्त कम्पनी द्वारा जारी किए जाने वाले मात्र चार सौ लाख करोड़ ब्यालीम लाख रुपये के समद्वय भूल्क के अनुरक्षित विमोच्य बंधपत्रों (अगस्त 2000 को जारी) पर स्टाम्प भूल्क के कारण प्रभायां हैं।

[सं. 50/2000-स्टाम्प/फा. सं. 33/65/2000-वि.क०]  
आर.जी. छावडा, अवर सचिव

MINISTRY OF FINANCE  
(Department of Revenue)

ORDER

New Delhi, the 1st November, 2000

STAMPS

S.O. 2459.—In exercise of the powers conferred by clause (b) of Sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. ICICI Limited, Mumbai to pay consolidated stamp duty of rupees three crore twelve lakh thirty one thousand five hundred only chargeable on account of the stamp duty on 832840 ICICI Unsecured Redeemable Bonds (August 2000 issue) in the nature of Debentures aggregating to rupees four hundred sixteen crore forty two lakhs only, to be issued by the said company.

[No. 50/2000-STAMPS/F. No. 33/65/2000-ST.

R. G. CHHABRA, Under Secy.

आदेश

नई दिल्ली, 1 नवम्बर, 2000

स्टाम्प

का.आ. 2460.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा मै. ग्रामीण विद्युतीकरण निगम लिमिटेड, नई दिल्ली को मात्र चार करोड़ उनसठ लाख रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति देती है जो उक्त निगम द्वारा आबंटित नीचे वर्णित वंधपत्रों पर स्टाम्प शुल्क के कारण प्रभारी है :—

(क) दिनांक 8-9-1999 को आबंटित मात्र तीन सौ करोड़ रुपये के समग्र मूल्य के एक करोड़ रुपये प्रत्येक के 100001 से 100091 तक, पचास लाख रुपये प्रत्येक के 300001 से 300392 तक तथा दस लाख रुपये प्रत्येक के 500001 से 500130 तक की विशिष्ट संख्या वाले डिब्बेचरों के स्वरूप वाले 11.75 प्रतिशत सुरक्षित अपरिवर्तनीय कराधेय वंधपत्र-2006 (xxxix शृंखला),

(ख) दिनांक 31-12-1999 को आबंटित मात्र दो सौ सेतीस करोड़ रुपये के समग्र मूल्य के एक करोड़ रुपये प्रत्येक के 300001 से 300165 तक तथा पचास लाख रुपये प्रत्येक के 400001 से 400144 तक की विशिष्ट संख्या वाले डिब्बेचरों के स्वरूप वाले 11.24 प्रतिशत सुरक्षित अपरिवर्तनीय वंधपत्र 2000 (xxxx-शृंखला), और

(ग) दिनांक 22-2-2000 को आबंटित मात्र पिचहतर करोड़ रुपये के समग्र मूल्य के एक करोड़ रुपये प्रत्येक के 500001 से 500024 तक तथा पचास लाख रुपये प्रत्येक 400001 से 400102 तक की विशिष्ट संख्या वाले 8.25 प्रतिशत कर मुक्त वंधपत्र-2010 (xxxxi-शृंखला)।

[म. 48/2000-स्टाम्प/फा. सं. 33/64/2000-बि. क.]  
आर. जी. छाबड़ा, अवर सचिव

ORDER

New Delhi, the 1st November, 2000

STAMP

S.O. 2460.—In exercise of the powers conferred by clause (b) of Sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. Rural Electrification Corporation Limited, New Delhi to pay consolidated stamp duty of rupees four crore fifty nine lakh only chargeable on account of the stamp duty on bonds described as :—

(a) 11.75 per cent Secured Non-Convertible Taxable Bonds in the nature of Debentures—2006 (XXXIX Series) bearing distinctive numbers from 100001 to

100091 of rupees one crore each, from 300001 to 300392 of rupees fifty lakh each and from 500001 to 500130 of rupees ten lakh each aggregating to rupees three hundred crore only, allotted on 8-9-1999;

(b) 11.25 per cent Secured Non-Convertible Bonds in the nature of Debentures—2000 (XXXX Series) bearing distinctive numbers from 300001 to 300163 of rupees one crore each and from 400001 to 400144 of rupees fifty lakh each aggregating to rupees two hundred thirty seven crore only, allotted on 31-12-1999; and

(c) 8.25 per cent Tax Free Bonds—2010 (XXXXI Series) bearing distinctive numbers from 500001 to 500024 of rupees one crore each and from 400001 to 400102 of rupees fifty lakh each aggregating to rupees seventy five crore only, allotted on 22-2-2000 by the said Corporation.

[No. 48/2000-STAMPS|F| No. 33/64/2000-ST]

R. G. CHHABRA, Under Secy.

आदेश

नई दिल्ली, 1 नवम्बर, 2000

स्टाम्प

का.आ. 2461.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा मध्य भारत पेपर लि. कलकत्ता को उक्त कम्पनी द्वारा आई सी आई लिमिटेड को आबंटित मात्र छः करोड़ रुपये के समग्र मूल्य के 1 से 6000 तक की विशिष्ट संख्या वाले 6000 अ० पतों पर स्टाम्प शुल्क के कारण प्रभारी चार लाख पचास हजार रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती है।

[सं. 49/2000-स्टाम्प/फा. सं. 33/69/2000-बि. क.]

आर. जी. छाबड़ा, अवर सचिव

ORDER

New Delhi, the 1st November, 2000

STAMPS

S.O. 2461.—In exercise of the powers conferred by clause (b) of Sub-section (1) of Section 9 of the Indian Stamp Act 1899 (2 of 1899), the Central Government hereby permits Madhya Bharat Papers Ltd., Calcutta to pay consolidated stamp duty of rupees four lakh fifty thousand only chargeable on account of the stamp duty on 6000 Debentures bearing distinctive numbers from 1 to 6000 aggregating to rupees six crore only allotted to ICICI Ltd., by the said Company.

[No. 49/2000-STAMPS|F| No. 33/69/2000-ST]

R. G. CHHABRA, Under Secy.

आदेश

नई दिल्ली, 1 नवम्बर, 2000

स्टाम्प

का.आ. 2462.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा मै. हनीवैल इन्डरनेशनल (इंडिया) प्राईवेट लिमिटेड, नई दिल्ली को मात्र ग्यारह लाख पच्चीस हजार रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती

है जो उक्त कम्पनी द्वारा दिनांक 26 जुलाई, 2000 को आवंटित माल पद्धति करोड़ रुपये के समग्र मूल्य के एक करोड़ रुपये प्रत्येक के 01 से 15 तक की विशिष्ट संख्या वाले बांड के रूप में दर्जित 12.4 प्रतिशत असुरक्षित विमोच्य अपरिवर्तनीय अपेक्षाओं पर स्टाम्प शुल्क वे कारण प्रभार्य हैं।

[सं. 51/2000—स्टाम्प/फा.सं. 33/66/2000—बि.क.]

आर. जी. छाबड़ा, अवर सचिव

ORDER

New Delhi, the 1st November, 2000

STAMPS

S.O. 2462.—In exercise of the powers conferred by clause (b) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. Honeywell International (India) Private Limited, New Delhi to pay consolidated stamp duty of rupees eleven lakh twenty five thousand only chargeable on account of the stamp duty on bonds described as 12.4 per cent Unsecured Redeemable Non-Convertible Debentures bearing distinctive numbers from 01 to 15 of rupees one crore each aggregating to rupees fifteen crore only, allotted on 26th July, 2000, by the said Company.

[No. 51/2000-STAMPS/F. No. 33/66/2000-ST]

R. G. CHHABRA, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 27 अक्टूबर, 2000

का. आ. 2463.—वर्तमान पदधारी श्री जी. जी. बैद्य के 31-10-2000 को कार्यकाल की समाप्ति पर, भारतीय स्टेट बैंक अधिनियम, 1955 (1955 का 23) की धारा 19 के खण्ड (क) और धारा 20 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्वारा, श्री जानकी बल्लभ, उप प्रबन्ध निदेशक और समूह कार्यपालक (अन्तर्राष्ट्रीय बैंकिंग), भारतीय स्टेट बैंक को कार्यभार ग्रहण करने की तिथि से एवं 31 अक्टूबर, 2002 तक की अवधि के लिए भारतीय स्टेट बैंक के कार्यकाल के रूप में नियुक्त करती है।

[फा. सं. 8/3/2000—बी.ओ. 1]

डॉ. चौधरी, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 27th October, 2000

S.O. 2463.—On the expiry of the tenure of the present incumbent, Shri G. G. Vaidya, on 31st October, 2000, in exercise of the powers conferred by clause (a) of Section 19 and Sub-section (1) of Section 20 of the State Bank of India Act, 1955 (23 of 1955), the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri Janki Ballabh, Deputy Managing Director & Group Executive (International Banking), State Bank of India, as chairman, State Bank of India, from the

date of his taking over charge and upto 31st October, 2002.

[F. No. 8/3/2000-B.O.I.]  
D. CHOUDHURY, Under Secy.

नई दिल्ली, 30 अक्टूबर, 2000

का. आ. 2464.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकार्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा 3 के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, वित्त मंत्रालय, आर्थिक कार्य विभाग, बैंकिंग प्रभाग, नई दिल्ली में उप सचिव श्री वी. पी. भारद्वाज, को तत्काल प्रभाव से और अगले आदेश होने तक केनरा बैंक के बोर्ड में निदेशक के रूप में नामित करती है।

[फा. सं. 9/8/2000—बी.ओ. I(i)]  
डॉ. चौधरी, अवर सचिव

New Delhi, the 30th October, 2000

S.O. 2464.—In exercise of the powers conferred by clause (b) of Sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, read with Sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, hereby nominates Shri V. P. Bhardwaj, Deputy Secretary, Ministry of Finance, Department of Economic Affairs (Banking Division), New Delhi as a director on the Board of Canara Bank with immediate effect and until further orders.

[F. No. 9/8/2000-B.O.I.(i)]  
D. CHOUDHURY, Under Secy.

नई दिल्ली, 30 अक्टूबर, 2000

का. आ. 2465.—भारतीय स्टेट बैंक (अनुषंगी बैंक) अधिनियम, 1959 (1959 का 38) की धारा 25 की उपधारा (1) के खण्ड (ड) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, वित्त मंत्रालय, आर्थिक कार्य विभाग, (बैंकिंग प्रभाग), नई दिल्ली के अवर सचिव श्री रमेश चन्द को श्री वी. पी. भारद्वाज के स्थान पर तत्काल प्रभाव से और अगले आदेश होने तक स्टेट बैंक आफ हैदराबाद में निदेशक के रूप में नामित करती है।

[एफ. सं. 9/8/2000—बी. ओ. 1 (ii)]  
डॉ. चौधरी, अवर सचिव

New Delhi, the 30th October, 2000

S.O. 2465.—In exercise of the powers conferred by clause (e) of Sub-section (1) of Section 25 of the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959), the Central Government, hereby nominates Shri Ramesh Chand, Under Secretary, Ministry of Finance Department of Economic Affairs (Banking

Division), New Delhi as a Director of the Board of State Bank of Hyderabad with immediate effect and until further orders, vice Shri V. P. Bhardwaj.

[F. No. 9/8/2000-B.O.I.(ii)]  
D. CHOUDHURY, Under Secy.

नई दिल्ली, 30 अक्टूबर, 2000

का. आ. 2466.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपकरणों का अर्जन एवं प्रतंरण) अधिनियम, 1970 की धारा 9 की उपधारा 3 के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, वित्त मंत्रालय, आर्थिक कार्यविभाग, वैकिंग प्रभाग, नई दिल्ली में संयुक्त सचिव श्री यू. के. सिन्हा, को तत्काल प्रभाव से और अगले आदेश होने तक बैंक आफ बड़ीश के बोर्ड में निदेशक के रूप में नामित करती है।

[फा. सं. 9/8/2000-बी. ओ. 1 (iii)]  
डी. चौधरी, अवर सचिव

New Delhi, the 30th October, 2000

S.O. 2466.—In exercise of the powers conferred by clause (b) of Sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, read with Sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, hereby nominates Shri U. K. Sinha, Joint Secretary, Ministry of Finance, Department of Economic Affairs, Banking Division, New Delhi as a Director on the Board of Bank of Baroda with immediate effect and until further orders.

[F. No. 9/8/2000-B.O.I.(iii)]  
D. CHOUDHURY, Under Secy.

नई दिल्ली, 30 अक्टूबर, 2000

का. आ. 2467.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपकरणों का अर्जन एवं प्रतंरण) अधिनियम, 1970 की धारा 9 की उपधारा 3 के खंड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री वी. के. शर्मा, अधिकारी निदेशक, भारतीय रिजर्व बैंक, कनकता को तत्काल प्रभाव से और अगले आदेश होने तक श्री के. वी. चक्रबर्ती के स्थान पर इलाहाबाद बैंक के निदेशक के रूप में नामित करती है।

[फा. सं. 9/18/2000-बी. ओ. 1]  
डी. चौधरी, अवर सचिव

New Delhi, the 30th October, 2000

S.O. 2467.—In exercise of the powers conferred by clause (c) of Sub-section (3) of Section 9 of the

Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, read with Sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, hereby nominates Shri V. K. Sharma, Regional Director, Reserve Bank of India, Calcutta as a Director of Allahabad bank with immediate effect and until further orders, vice Shri K. B. Chakraborti.

[F. No. 9/18/2000-B.O.I.]  
D. CHOUDHURY, Under Secy.

नई दिल्ली, 2 नवम्बर, 2000

का. आ. 2468.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1980 के खण्ड 3 के उपखण्ड (1), खण्ड 5, खण्ड 6, खण्ड 7 और खण्ड 8 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपकरणों का अर्जन एवं अंतरण) अधिनियम, 1980 की धारा 9 की उपधारा 3 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात, एतद्वारा श्री के. चेरियन वर्गेज, कार्यपालक निदेशक, सेटल बैंक आफ इंडिया को उनके कार्यभार प्रहण करते की तरीख से 5 वर्ष की अवधि के लिए कार्यपोरेशन बैंक के अध्यक्ष पद प्रबंध निदेशक के रूप में नियुक्त करती है।

[फा. सं. 9/35/2000-बी. ओ. 1]  
डी. चौधरी, अवर सचिव

New Delhi the 2nd November 2000

S.O. 2468.—In exercise of the powers conferred by clause (a) Sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980, read with Sub-clause (1) of clause 3, clause 5, clause 6, clause 7 and Sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri K. Cherian Varghese, Executive Director, Central Bank of India as Chairman and Managing Director, Corporation Bank for a period of five years from the date of his taking charge.

[F. No. 9/35/2000-B.O.I.]  
D. CHOUDHURY, Under Secy.

नई दिल्ली, 6 नवम्बर, 2000

का. आ. 2469.—भारतीय नघु उत्थोग विकास बैंक अधिनियम, 1989 (1989 का 39) की धारा 6 की उपधारा (1) के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा वित्त मंत्रालय आर्थिक कार्यविभाग (इंकिम प्रभाग) नई दिल्ली के संयुक्त सचिव

श्री यू. के. सिन्हा को तत्काल प्रभाव से और अपने आदेश तक भारतीय लघु उद्योग विकास बैंक के निदेशक के रूप में नामित करती है।

[फा. सं. 9/8/2000-बी. ओ. 1]

डॉ. चौधरी, अवर सचिव

New Delhi, the 6th November, 2000

S.O. 2469.—In exercise of the powers conferred by clause (c) of Sub-section (1) of Section 6 of the Small Industries Development Bank of India Act, 1989 (39 of 1989), the Central Government hereby nominates Shri U. K. Sinha, Joint Secretary, Ministry of Finance, Department of Economic Affairs (Banking Division) New Delhi as a Director of Small Industries Development Bank of India with immediate effect and until further orders.

[F. No. 9/8/2000-B.O.I.]  
D. CHOUDHURY, Under Secy.

वाणिज्य एवं उद्योग मंत्रालय

(वाणिज्य विभाग)

नई दिल्ली, 2 नवम्बर, 2000

का. आ. 2470.—नियर्ति (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त ग्रन्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं. का. आ. 3975 तारीख 20-12-1965 से संलग्न अनुसूची के अनुसार खनिज तथा अयस्क (ग्रुप-I) अथवा कच्चे लोहे का विशाखापत्तनम् में नियर्ति में पूर्व निरीक्षण करने के लिए मैसर्स सुपरिटेंडेंस कम्पनी आफ इंडिया (प्रा.) लि. डॉ. नं. 25-9-14/4 मैरीन टावर, गोदावरी स्ट्रीट, विशाखापत्तनम्-530001 को एक अभिकरण के रूप में 29 जनवरी, 2000 से और तीन वर्ष की अवधि के लिए निम्न गतियों के अधीन एनद्वारा मान्यता देती है, अथवा :—

(1) मैसर्स सुपरिटेंडेंस कं. आफ इंडिया (प्रा.) लि., नियर्ति निरीक्षण परिषद द्वारा इस संबंध में नामित अधिकारी को अपने द्वारा अपनाई गयी निरीक्षण पद्धति की जांच करने के लिए पर्याप्त मुख्यालय देगी ताकि खनिज तथा अयस्क (ग्रुप-I) के नियर्ति (निरीक्षण) नियम, 1965 के नियम, 4 के अंतर्गत निरीक्षण का प्रभाग पर दिया जा सके।

(2) मैसर्स सुपरिटेंडेंस कम्पनी आफ इंडिया (प्रा.) लि. इस अधिसूचना के अधीन अपने कृत्यों के परम में ऐसे किसी भी द्वारा आग्रह होगी जो

निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण) समय-समय पर लिखित रूप में देंगे।

[फाईल सं. 5/18/2000-ई आई एण्ड ई पी]  
पी. के. दास, निदेशक

MINISTRY OF COMMERCE AND INDUSTRY

(Department of Commerce)

New Delhi, the 2nd November, 2000

S.O. 2470.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises for a further period of three years with effect from 29-1-2000, M/s. Superintendence Co. of India (P) Ltd., Door No. 25-9-14/4, Marine Tower, Godawari Street, Visakhapatnam-530001, as an agency for the inspection of Minerals and Ores (Group-I) namely Iron Ore specified in schedule annexed to Ministry of Commerce Notification No. S.Q. 3975 dated 20-12-1965 prior to export at Visakhapatnam, subject to the following conditions, namely :—

- (i) that M/s. Superintendence Co. of India (P) Ltd. shall give adequate facilities to the Officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of Export of Minerals and Ores Group-I (Inspection) Rules, 1965 ;
- (ii) that M/s. Superintendence Co. of India (P) Ltd. in the performance of their function under this Notification shall be bound by such directives as the Director (Inspection & Quality Control) may give in writing from time to time.

[File No. 5/18/2000-EI&EP]

P. K. DAS, Director

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 1 नवम्बर, 2000

का. आ. 2471.—दंत चिकित्सक अधिनियम (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रदत्त अधिकारी को उपयोग करते हुए, केन्द्र सरकार, भारतीय दंत चिकित्सा परिषद् से परामर्श करके एनद्वारा उक्त अधिनियम की अनुसूची के भाग-I में निम्नलिखित और संशोधन करती है, अथवा :—

उक्त अनुसूची के भाग-I में हिमाचल प्रदेश विश्वविद्यालय, शिमला के क्रम सं. 50 और उससे मंवंथित

प्रविष्टियों के पश्चात् निम्नलिखित प्रविष्टियां जोड़ी जाएंगी ग्रन्ति : -

1	2	3
51. भारतीय विद्यापीठ भारती विद्यापीठ वी डी एस (सम विश्वविद्यालय) (सम विश्वविद्यालय) (भारती पूर्णे दंत चिकित्सा कालेज व विद्यापीठ) अस्पताल के वी डी एस पूर्णे । छात्रों के मामले में वी डी एस अर्हता तभी एक		मान्यताप्राप्त दंत चिकित्सा अर्हता होनी वाद वह 19-6-2000 को या उसके बाद प्रवान की गई हो। [संख्या वी. 12018/18/2000-पी. एम. एस] एस. के. राव, निदेशक

## MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi the 1st November, 2000

S.O. 1471.—In exercise of the powers conferred by Sub-Section (2) of Section 10 of the Dentists Act (16 of 1948), the Central Government after consulting the Dental Council of India, hereby makes the following further amendment in part-I of the Schedule to the said Act namely:—

In Part—I of the said Schedule after serial number 50 of Himachal Pradesh University, Shimla and the entries relating thereto, the following entries will be added, namely,

51. Bharti Vidyapeeth(Demed University), Pune.

The B.D.S. qualification in respect of BDS student of Bharti Vidyapeeth (Deemed University Dental College & Hospital, Pune) shall be a recognized Dental qualification when granted on or after 19-6-2000.

[No. V. 12018/18/2000—PMS]

S. K. RAO, Director

रेल मंत्रालय

(रेलवे बोर्ड)

संशोधन न. 3

नई दिल्ली, 10 अक्टूबर, 2000

का.आ. 2472.—भारतीय विजली अधिनियम, 1910 (1910 का 9) के खंड 36 के उपखंड (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा दिनांक 29-10-92 के पत्र सं. 91/इलैक. (जी)/110/3 द्वारा जारी की गई भारत सरकार की अधिसूचना के अधिकमण में भारत सरकार (रेल मंत्रालय) के दिनांक 24-3-88 के पत्र सं. 87/इलैक./1 110/3 की अधिसूचना में केन्द्र सरकार द्वारा निम्नलिखित संशोधन करती है।

उक्त अधिसूचना की अनुसूची की मद 1 में मुख्य विजली इंजीनियर, मध्य रेलवे के भीत्राधिकार का ब्यौरा देते हुए, “संपूर्ण बोर्ड के विजली संबंधी सभी कार्य” शब्दों को जोड़ा जाए।

[सं. 91/इलैक. (जी)/110/3]  
ए. के. बोहरा, कृते मंचित, रेलवे बोर्ड

## MINISTRY OF RAILWAYS

(Railway Board)

Amendment No. 3

New Delhi, the 10th October, 2000

S O 2472.—In exercise of the power conferred by sub-section (i) of Section 36 of the Indian Electricity Act, 1910 (9 of 1910) and in supersession of the Notification of Government of India issued vide 91/Elec.(G)/110/3 dated 29-10-1992, Central Government hereby makes the following amendment in the notification of Government of India (Ministry of Railways) No. 87/Elec. 1/110/3 dt. 24-3-88.

In item 1 of the schedule of the said notification, specifying the jurisdiction of Chief Electrical Engineer, Central Railway, the words “all electrical works of entire Konkan Railway” shall be added.

[No. 91/Elec.(G)/110/3]

A. K. VOHRA, for Secy., Railway Board

## लघु उद्योग और कृषि एवं ग्रामीण उद्योग मंत्रालय

नई दिल्ली, 2 नवम्बर, 2000

का.आ. 2473.—सार्वजनिक परिसर (अनधिकृत दब्लकारों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों के प्रयोग से केन्द्रीय सरकार एतद्वारा नीचे दी गई तालिका के कालम (1) में उल्लिखित अधिकारी का केन्द्रीय सरकार के राजपत्रित अधिकारी के नाते उक्त अधिनियम के प्रयोजनार्थ सम्पदा अधिकारी नियुक्त करती है तथा आगे निर्देश देती है कि उक्त अधिकारी उक्त तालिका के कालम (2) में विनिर्दिष्ट सार्वजनिक परिसरों के संबंध में अपने क्षेत्राधिकार की सीमाओं के भीतर उक्त अधिनियम द्वारा अथवा अन्तर्गत सम्पदा अधिकारी को सौंपे गये कायदों का निष्पादन तथा प्रदत्त शक्तियों का प्रयोग करेगा।

## तालिका

अधिकारी का नाम पदनाम

सार्वजनिक परिसरों की श्रेणियों तथा क्षेत्राधिकार की स्थानीय सीमाओं

(1)

(2)

श्री आर. के. चतुर्वेदी, महाप्रबंधक,  
राष्ट्रीय लघु उद्योग निगम लिमिटेड नई दिल्ली

राष्ट्रीय लघु उद्योग निगम लि. द्वारा राष्ट्रीय राजधानी क्षेत्र, पिपली  
तथा अन्य स्थानों जहां इसके क्षेत्रीय कार्यालय, ब्रांच कार्यालय, उप कार्यालय  
कच्छी सामग्री सहायता डिपो, मेंट्रल लाइजन आफित, एन एस आई सी  
तकनीकी सेवा विस्तार केन्द्र, विपगत विकास केन्द्र, प्रदर्शन तथा  
प्रशिक्षण केन्द्र, साप्टवियर प्रोड्योगिकी पार्क तथा प्रदर्शनी केन्द्र स्थित  
है, पट्टे पर अपने लिए गये परिसर जैसा कि अनुबंध में  
उल्लिखित है।

## अनुबंध

क्र.सं.	कार्यालय	पता
1	2	3
1.	क्षेत्रीय कार्यालय	क्षेत्रीय महाप्रबंधक, एन एस आई सी लि., प्रस्टेज चैम्बर, तृतीय तल, कल्याण स्ट्रीट, मस्जिद, (पूर्वी) मुम्बई-400009, महाराष्ट्र
2.		क्षेत्रीय निवेशक, एन एस आई सी लि., 20 बी, अब्दुल हमीद स्ट्रीट, सातवां तल, कलकत्ता-700069, पश्चिम बंगाल
3.		क्षेत्रीय महाप्रबंधक, एन एस आई सी लि. -615 धन्ना सलाई चैन्सई-600006, तमिलनाडु

1	2	3
4.	क्षेत्रीय प्रबंधक (प्रभारी) एन एस आई सी लि., डी एस मैसन, चिड़िया घर के समीप, आर जी वाल्हू रोड, गुवाहाटी-781024, असम	
5.	क्षेत्रीय महाप्रबंधक (प्रभारी) एन एस आई सी लि., 118 सी जापिंग कम्पलैक्स, मैक्टर-18, नोथडा-201301, उत्तर प्रदेश	
6.	क्षेत्रीय प्रबंधक (प्रभारी) एन एस आई सी लि., 202-203, समुद्री बिल्डिंग, गजरात हाई कोर्ट के सामने, अहमदाबाद-380014, गुजरात	
7.	प्रबंधक (प्रभारी) एन एस आई सी लि., खुभीहगुड़ा इन्सेक्टानिक्स कम्पलैक्स, पो.धी. ई सी आई एन, कमला नगर, हैदराबाद-500062, आंध्र प्रदेश	
8.	क्षेत्रीय महाप्रबंधक, एन एस आई सी लि., रवि किरण विल्डिंग गर्डमेंट कालेज के समने, महरोली रोड, गुडगांव, हरियाणा	
9. ब्रांच कार्यालय	वरिष्ठ ब्रांच अधिकारी, एन एस आई सी लि., गुरु गोविन्द सिंह टावर ढोलेवाल चौक के सामने, जी टी रोड, लुधियाना-141003, पंजाब	
10.	वरिष्ठ ब्रांच अधिकारी, एन एस आई सी लि. एन एम /0/2, नेहरू पैलेस, टोक रोड, जयपुर-302015, राजस्थान	
11.	डी एम (प्रभारी) एन एस आई सी लि., 314-ए अमरा रोड, गांधी नगर, जम्मू तवी-180004, जम्मू तथा कश्मीर	
12.	वरिष्ठ शाखा अधिकारी, एन एस आई सी लि., 112-1 छितीय तल बेन्जावर रोड, कानपुर-208002, उत्तर प्रदेश	
13.	शाखा अधिकारी प्रभारी एन एस आई सी लि., बी एस पी सी बिल्डिंग आदित्यपुर, जमशेवपुर-विहार	
14.	वरिष्ठ शाखा प्रबंधक, एन एस आई सी लि., लिक रोड, कटक-753012, उडीसा	

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15. शाक्ता अधिकारी,  
एन एस आई सी लि., 1055/10, गौतम सेंटर, अविनाभी रोड,  
कोयम्बटूर-641018, तमिलनाडू

16. वरिष्ठ शाक्ता प्रबंधक,  
एन एस आई सी लि., सी-20 इंडस्ट्रियल इस्टेट, याचनचार्यवी, पांडिचेरी-605001, तमिलनाडू

17. वरिष्ठ प्रबंधक,  
एन एस आई सी लि., इसीकोस बिल्डिंग, नं. 6 तथा 7, इंडस्ट्रियल टाउन, वेस्ट आफ आई रोड, राजा नगर, बंगलौर-कर्नाटक

18. शाक्ता प्रबंधक,  
एन एस आई सी लि., सै. 67 जी सी डी ए कम्पलैक्स, मेरिन इलाव, शानमूग्न रोड, एण्कुलूम, कोचीन-682031, केरल

19. वरिष्ठ शाक्ता प्रबंधक,  
एन एस आई सी लि., मालबीय नगर, भोपाल-462003, मध्य प्रदेश

20. शाक्ता प्रबंधक,  
एन एस आई सी लि., गायत्री गैस्ट हाउस, 5 क्रिकेणी बिल्डिंग सैट डम्फेज अर्च के सामने, पणजी, गोवा-403001

21. ब्रांच (प्रभारी),  
एन एस आई सी लि., डी आई सी प्रीमिसिस, लामफेट, हम्फाल-795001, असम

22. शाक्ता प्रबंधक,  
एन एस आई सी लि., इन्डस्ट्रियल इस्टेट लैनी पो. ओ. उद्योग नगर, डलाहालाद, उत्तर प्रदेश

23. डी एम (प्रभारी),  
एन एस आई सी लि., सिर्पो कम्पलैक्स सं. 4, टी बी रोड, मदुरई-625010, तमिलनाडू

24. उप कार्यालय  
शाक्ता (प्रभारी),  
एन एस आई सी लि., मार्फत-एस आई सी, पी एम टी तथा जानकी हाल के पास शंकर सेठ रोड स्वरगैट पुणे, महाराष्ट्र

25. वरिष्ठ शाक्ता प्रबंधक,  
एन एस आई सी लि., मार्फत एस आई एस धाट 10 पोलो ग्राउण्ड, इंडस्ट्रियल इस्टेट, इत्वोर-452003, मध्य प्रदेश

26. शाखा (प्रभारी)  
एन एस प्राई सी लि., उद्धाराजा विजनिस सेंटर द्वितीय तला,  
लिबर्टी सिनेमा के सामने, रैमीडी रोड, सावर नागपुर-440001,  
महाराष्ट्र

27. शाखा (प्रभारी)  
एन एस प्राई सी लि., नामेश्वर कालीमी, भीरिंज रोड, पटना-800001,  
बिहार

28. श्री एस (प्रभारी)  
एन एस प्राई सी लि., मार्केट महा प्रबंधक,  
श्री प्राई सी फालावाड़ राजस्थान

29. कर्मी सामग्री डिपो  
एन एस प्राई सी लि., विदाल, बी-87, डीपी ई, पोस्ट रिक  
ट्रिची-15, तमिलनाडु

30. शाखा प्रभारी  
एन एस प्राई सी लि., जीषन तारा विल्डग, कमरा नं. 411-412,  
पालियामेंट स्ट्रीट, नई दिल्ली-110001

31. एन एस प्राई सी तकनीकी सेवा केन्द्र  
उप महा प्रबंधक (प्रभारी)  
एन एस प्राई सी तकनीकी सेवा केन्द्र (एन एस प्राई सी लि.),  
ओखला इंडस्ट्रियल इस्टेट, नई दिल्ली-110020

32. उप महा प्रबंधक (प्रभारी)  
एन एस प्राई सी तकनीकी सेवा केन्द्र (एन एस प्राई सी लि.),  
वालितीकुरी, हावड़ा, पश्चिम बंगाल

33. महा प्रबंधक,  
एन एस प्राई सी लि.—तकनीकी सेवा केन्द्र (एन एस प्राई सी लि.)  
सै. बी-24, गवाढी इंडस्ट्रियल इस्टेट, पो. ओ. इक्का धूतार्गंग,  
चेन्नई-600097, तमिलनाडु

34. महाप्रबंधक,  
एन एस प्राई सी तकनीकी सेवा केन्द्र, (एन एस प्राई सी लि.),  
भाव नगर रोड, घजी इंडस्ट्रियल इस्टेट, राजकोट-360036, गुजरात

35. महाप्रबंधक (प्रभारी)  
एन एस प्राई सी—तकनीकी सेवा केन्द्र (एन एस प्राई सी लि.),  
कुम्हीहगुडा इलैक्ट्रोनिक्स परिसर, पो. ओ. ई सी प्राई एल, कमला नगर,  
हैदराबाद-500062, प्रांध्र प्रदेश

( 1 )	( 2 )	( 3 )
36.	एन एस आईसी—एस आई पी—परिसर	परियोजना अधिकारी, एन एस आई सी—सापटवेयर टैक्नालॉजी पार्क, एम एस आई सी लि., ओखला इंडस्ट्रियल इस्टेट, नई दिल्ली-110020
37.		परियोजना अधिकारी, एन एस आई सी—तकनीकी सेवा केन्द्र, (एन एस आई सी लि.), ग्वान्डी इंडस्ट्रियल इस्टेट, पो. ओ. इकाग्रदुयागाल, चेन्नई-600097, तमिलनाडु
38.	एन एस आई सी—टी एस ई सी	संयुक्त प्रबंधक (प्रभारी), एन एस आई सी—तकनीकी सेवा केन्द्र, विस्तार केन्द्र (एन एस आई सी लि.), डी-82-83 ओल्ड क्यू एम ई विलिंग फोक्स व्हाल्ट, राजपुरा-140401 पंजाब
39.		संयुक्त प्रबंधक (प्रभारी), एन एस आई सी—तकनीकी सेवा विस्तार केन्द्र (एन एस आई सी लि.), ए-1 इंडस्ट्रियल इस्टेट, घलीगढ़-202001, उत्तर प्रदेश
40.	विपणन विकास केन्द्र	शाखा (प्रभारी), एन एस आई सी लि., एम डी सी जी 1, नुसगंगम हाई रोड, चेन्नई-600034
41.		शाखा (प्रभारी), एन एस आई सी लि., एन डी सी, एस-97 गोडा कम्पलैक्स, मेरीन ब्राइव, सनमुगम रोड एण्किलम कोचीन-682031

[फा. सं. 21/41/96—एस एस आई (पी)-1]

ए. के. ऐलावादी, अवर सचिव

## MINISTRY OF SMALL SCALE INDUSTRIES AND AGRO AND RURAL INDUSTRIES

New Delhi, the 2nd November, 2000

S.O. 2473.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being an officer equivalent to the rank of Gazetted Officer of the Central Government to be estate officer for the purpose of the said Act and further directs that the said officer shall exercise the powers conferred and perform the duties imposed on estate officer by or under the said Act within the limits of his jurisdiction in respect of public premises specified in column (2) of the said Table.

## TABLE

Designation of the officer (1)	Categories of the public premises and local limits of jurisdiction (2)
Shri R. K. Chaturvedi, General Manager, The National Small Industries Corporation Limited, New Delhi.	Premises owned or taken on lease by the National Small Industries Corporation Limited in the National Capital Territory of Delhi and in other places where its Regional Offices, Branch Offices, Sub-Offices, Raw Material Assistance Depot, Central Liaison Office, NSIC-Technical Service Centre, NSIC Technical Service Extension Centre, Marketing Development Centres, Demonstration-cum-Training Centre, Software Technology Park and Exhibition Centres, are situated as mentioned in Annexure.

## ANNEXURE

S. No.	Offices (1)	Address (2)	Address (3)
1.	Regional Offices	The Regional General Manager, NSIC Ltd., Prestige Chambers, 3rd Floor, Kalyan Street, Masjid (East), Mumbai—400 009, Maharashtra.	
2.		The Regional Director, NSIC Ltd., 20-B, Abdul Hamid Street, 7th Floor, Calcutta—700 069, West Bengal.	
3.		The Regional General Manager, NSIC Ltd., 615 Anna Salai, Chennai—600 006, Tamil Nadu.	
4.		The Regional Manager (I/C), NSIC Ltd., DS Mansion, Near State Zoo, R. G. Baruah Road, Guwahati—781 024, Assam.	
5.		The Regional Manager (I/C), NSIC Ltd., 118-C, Shopping Complex, Sector 18, Noida—201 301, Uttar Pradesh.	

(1)	(2)	(3)
6.		The Regional Manager (I/C), NSIC Ltd., 202—203, Samruddhi-Building, Opp. Gujarat High Court, Ahmedabad—380 014, Gujarat.
7.		The Manager (I/C), NSIC Ltd., Kushaiguda Electronic Complex, P.O. ECIL, Kamala Nagar, Hyderabad—500 062, Andhra Pradesh.
8.		The Regional General Manager, NSIC Ltd., Ravi Kiran Building, Opp. Government College, Mehrauli Road, Gurgaon, Haryana.
9. Branch Offices		The Sr. Branch Manager, NSIC Ltd., Guru Govind Singh Tower, Near Dholewal Chowk, G.T. Road, Ludhiana—141 003, Punjab.
10.		The Sr. Branch Manager, NSIC Ltd., NF/0/2, Nehru Place, Tonk Road, Jaipur—302 015, Rajasthan.
11.		The D.M. (I/C), NSIC Ltd., 314-A, Apsara Road, Gandhi Nagar, Jammu Tawi—180 004, J&K.
12.		The Sr. Branch Manager, NSIC Ltd., 112-1, 2nd Floor, Benajhabar Road, Kanpur—208 002, Uttar Pradesh.
13.		The Branch (I/C), NSIC Ltd., BSFC Building, Adityapur, Jameshedpur, Bihar.
14.		The Sr. Branch Manager, NSIC Ltd., Link Road, Cuttack-753 012, Orissa.
15.		The Branch Manager, NSIC Ltd., 1055/10, "Gowtham Centre", Avanashi Road, Coimbatore-641 018, Tamil Nadu.
16.		The Sr. Branch Manager, NSIC Ltd., C-20, Industrial Estate, Thattanchavady, Pondicherry-605 001, Tamil Nadu.

(1) (2) (3)

17. The Sr. Branch Manager,  
NSIC Ltd., ISICOS Building, No. 6 and 7, Industrial Town,  
West of Chord Road, Rajaji Nagar,  
Bangalore, Karnataka.

18. The Branch Manager,  
NSIC Ltd., S-67, GCDA Complex, Marine Drive,  
Shanmughan Road, Ernakulam, Kochi,  
Cochin-682 031, Kerala.

19. The Sr. Branch Manager,  
NSIC Ltd., 110, Malviya Nagar,  
Bhopal—462 003, Madhya Pradesh.

20. The Branch Manager,  
NSIC Ltd., Gayatree Guest House,  
5, Triveni Building, Opp. St. Inez Church,  
Panaji—403 001, Goa.

21. The Branch (I/C),  
NSIC Ltd., DIC Premises, Lamphapat,  
Imphal-795 001, Assam.

22. The Branch Manager,  
NSIC Ltd., Industrial Estate, Naini,  
P.O. Udyog Nagar,  
Allahabad, Uttar Pradesh.

23. The D.M. (I/C),  
NSIC Ltd., SIPO Complex, No. 4,  
T.B. Road, Madurai-625 010,  
Tamil Nadu.

24. Sub-Office The Branch (I/C),  
NSIC Ltd., C/o. SISI, Next to PMT and Janaki Hall,  
Shankar Sheth Road, Swargate,  
Pune, Maharashtra.

25. The Sr. Branch Manager,  
NSIC Ltd., C/o. SISI, 10, Pologround,  
Industrial Estate,  
Indore-452 003, Madhya Pradesh.

26. The Branch (I/C),  
NSIC Ltd., Udharaaja Business Centre, 2nd Floor,  
Opp. Liberty Cinema, Residency Road, Sadar,  
Nagpur-440 001, Maharashtra.

(1)

(2)

(3)

27. The Branch (I/C),  
NSIC Ltd., Nageshwar Colony, Boring Road,  
Patna-800 001, Bihar.

28. The D.M. (I/C),  
NSIC Ltd., C/o. General Manager, D.I.C.,  
Jhalawar, Rajasthan.

29. Raw Material Depot NSIC Ltd., Bidass, D-87, DPE, Post REC  
Trichy-15, Tamil Nadu.

30. The Branch (I/C),  
NSIC Ltd., Jeevan Tara Building,  
Room No. 411-412, Parliament Street,  
New Delhi-110 001.

31. NSIC-Technical Services Centre The D.G.M. (I/C),  
NSIC-Technical Services Centre (NSIC Ltd.),  
Okhla Industrial Estate,  
New Delhi-110 020.

32. The D.G.M. (I/C),  
NSIC Technical Services Centre (NSIC Ltd.),  
Balitikuri, Howrah, West Bengal.

33. The General Manager,  
NSIC-Technical Services Centre (NSIC Ltd.),  
Sector B-24, Guindy Industrial Estate,  
P.O. Ekkaduthangal,  
Chennai-600 097, Tamil Nadu.

34. The General Manager,  
NSIC-Technical Services Centre (NSIC Ltd.),  
Bhav Nagar Road, Aji Industrial Estate,  
Rajkot-360 003, Gujarat.

35. The Manager (I/C),  
NSIC-Technical Services Centre (NSIC Ltd.),  
Kushaiguda Electronics Complex,  
P.O. ECIL, Kamla Nagar,  
Hyderabad-500 062, Andhra Pradesh.

36. NSIC-STP Complex The Project Officer,  
NSIC-Software Technology Park,  
NSIC Limited, Okhla Industrial Estate,  
New Delhi—110 020.

37.

The Project Officer,  
NSIC-Technical Services Centre (NSIC Ltd.),  
Guindy Industrial Estate, P.O. Ekkaduthangal,  
Chennai-600 097, Tamil Nadu.

38. NSIC-TSEC

The Joint Manager (I/C),  
NSIC-Technical Services Extension Centre (NSIC Ltd.),  
D-82-83, Old QME Building, Focal Point,  
Rajpura-140 401, Punjab.

39.

The Joint Manager (I/C),  
NSIC-Technical Services Extension Centre (NSIC Ltd.),  
A-1, Industrial Estate,  
Aligarh 202 001, Uttar Pradesh.

40. Marketing Dev. Centre

The Branch (I/C),  
NSIC Ltd., MDC, G-1, Nungambakkam High Road,  
Chennai-600 034.

41.

The Branch (I/C),  
NSIC Ltd., MDC, S-67, GCDA Complex, Marine Drive,  
Shanmugham Road, Ernakulam,  
Kochi, Cochin-682 031.

[File No. 21/41/96-SSI (P)-I]  
A.K. AILAWADI, Under Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 6 नवम्बर, 2000

का.आ.2474.—केन्द्रीय सिविल सेवाएं (बर्गीकरण, नियंत्रण एवं अपील) नियमावली, 1965 के नियम 8 के उपनियम (2) द्वारा प्रदत्त शक्तियों का उपयोग करते हुए एतद्वारा विनियोग किया जाता है कि विशेष सचिव, सूचना और प्रसारण मंत्रालय नई दिल्ली, महानिवेशक, आकाशवाणी और महानिवेशक, दूरदर्शन के पदों पर नियमित भर्ती किए जाने अथवा इन कार्यालयों के संबंधित सरकारी कर्मचारियों के प्रसार भारती (भारतीय प्रसारण निगम) में सम्मिलन, जो भी पहले हो, तक आकाशवाणी एवं दूरदर्शन महानिवेशालयों में सरकार द्वारा पहले से नियुक्त समूह “ब” कर्मचारियों के संबंध में नियुक्त प्राधिकारी के रूप में कार्य करेंगे। तथापि, यह व्यवस्था नई भर्तियों/नियुक्तियों और उनमें सम्बद्ध भागों में लागू नहीं होगी।

[सं. 39012/1/2000-वी (ए)]  
विजय शर्मा, उप सचिव

## MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 6th November, 2000

S.O. 2474 —In exercise of the powers conferred by Sub-rule (2) of rule 9 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, it is hereby specified that, in place of Director Generals, All India Radio and Doordarshan, New Delhi, the Special Secretary, Ministry of Information and Broadcasting, New Delhi shall act as the Appointing Authority in respect of Group 'B' employees already appointed by the Government in the Directorate General. All India Radio and Directorate General, Doordarshan till such time the Posts of Director General, All India Radio and Director General Doordarshan are filled up or the concerned Government servants are absorbed in Prasar Bharti (Broadcasting Corporation of India, whichever is earlier. However, this shall not apply for new recruitments/ appoints and matters connected thereto.

[No. 29012/1/2000-B(A)]

VIJAY SHARMA, Dy. Secy.

## उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

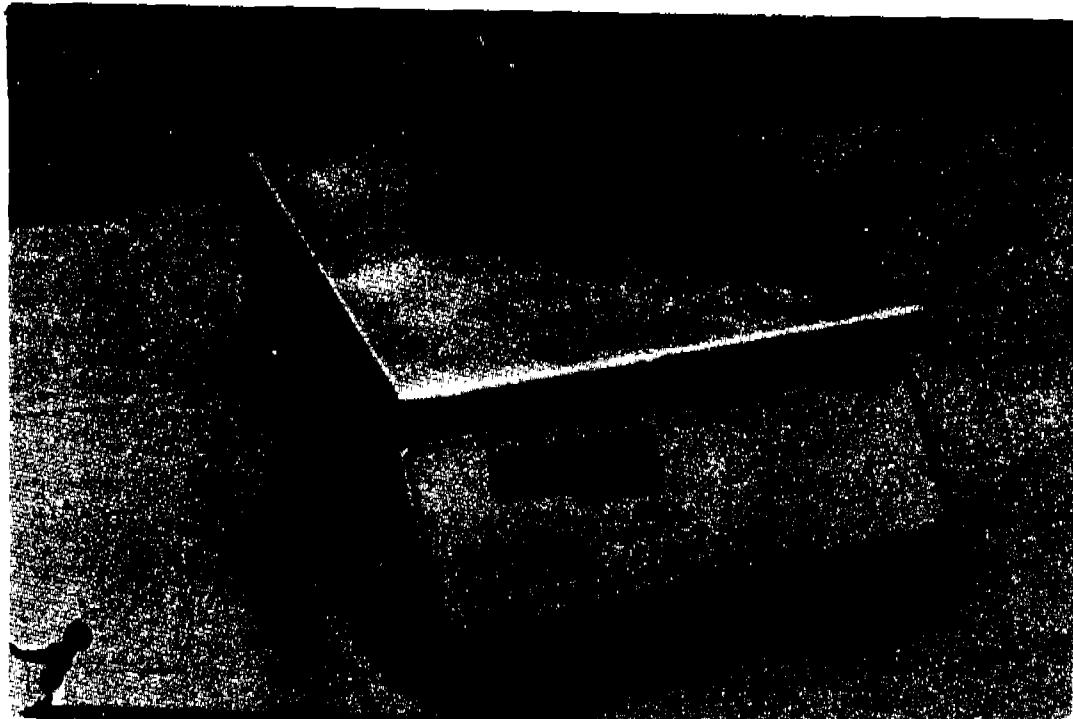
## (उपभोक्ता मामले विभाग)

नई दिल्ली, 25 अक्टूबर, 2000

का. आ. 2475.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (भीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्युक्तों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स परफैक्ट वेझर सिस्टम, 83, एम टी एच रोड, अंबादूर इंडिस्ट्रियल एस्टेट, चेन्नई-98 द्वारा विनियमित मध्यम यथार्थता (यथार्थता चार्ग-III) वाले "पी.टी.टी. 56" शृंखला के अस्वचालित अंकक प्रदर्श सहित तोलन उपकरण (टेक्सल टाप प्रकार) के मॉडल का जिसके ब्रांड का नाम "परफैक्ट" है (जिसे इसमें इसके पश्चात् "माउल" कहा गया है) और जिसे अनुमोदन दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) 6 किंवद्धा. की अधिकतम क्षमता और 20 ग्राम की न्यूनतम मान का अस्वचालित तोलन उपकरण है। सत्यापन मापमान अन्तराल (ई) का मान 1 ग्राम है। इसमें एक आद्येयतुलन युक्ति है जिसका शत-प्रतिशत व्यलकलनात्मक धारित आद्येयतुलन प्रभाव है। भार ग्राही आयताकार सेक्शन वाला है जिसकी भुजाएं 275 × 325 मि.मी. हैं। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्टज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 50 किलोग्राम तक होगी और जिनका विनिर्माण उसी विनियमित द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 10,000 से कम या उसके बराबर है (एन  $\leq$  10,000) तथा जिसका "ई" मान  $1 \times 10$  के,  $2 \times 10$  के और  $5 \times 10$  के है, जहां के घनात्मक या अद्वायात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. ऊर्जा. एम. 21(52)/2000]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

## MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

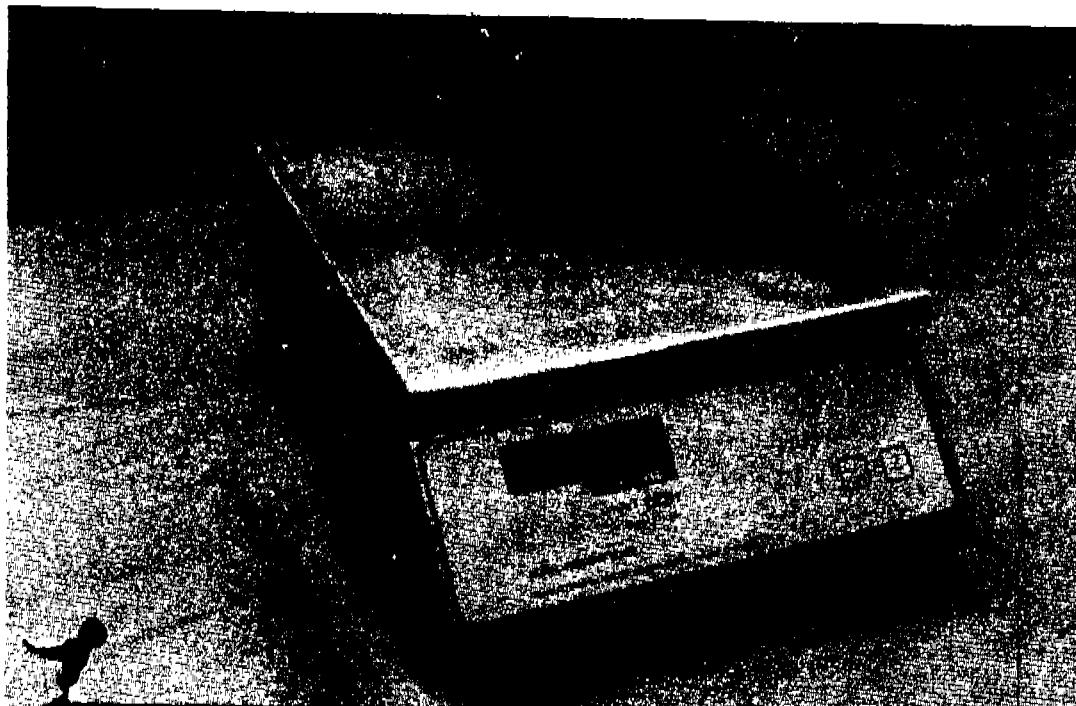
(Department of Consumer Affairs)

New Delhi, the 25th October, 2000

**S. O. 2475.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (Table top type) belonging to Medium Accuracy (Accuracy class-III) with digital display of 'PTT-56' series with brand name "Perfect" (herein referred to as the Model) manufactured by M/s Perfect Weighing System, 83, M.T.H. Road, Ambattur Industrial Estate, Chennai-98, and which is assigned the approval mark IND/09/2000/96;

The said model (the figure given) is non-automatic weighing instrument. The maximum capacity is 6 kg, and minimum value of 20g. The value of verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section of side 275 x 325 millimetre. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50-Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50 kg, with number of verification scale division (n) less than or equal to 10,000 ( $n \leq 10,000$ ) and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , and  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. W.M.-21(52)/2000]

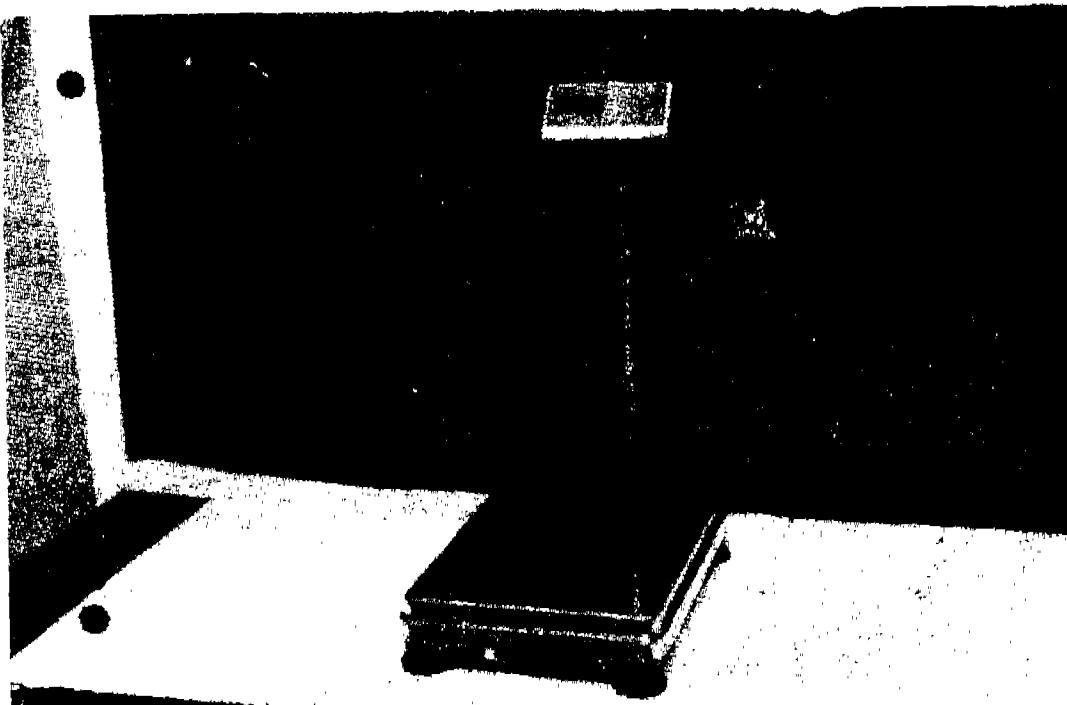
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 25 अक्टूबर, 2000

का. आ. 2476.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) खाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्योग के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स परफैक्ट पेईग सिस्टम, 83, एम टी एच रोड, अंबादूर इंडस्ट्रियल एस्टेट, बैनाई-98 द्वारा विभिन्नत मध्यम यथार्थता (यथार्थता धर्म-III) वाले "पी.पी.एफ.-65" शूखला के स्वतः सूचक, अस्वचालित, इलेक्ट्रॉनिक, अंकक सूचन सहित तोलन उपकरण (स्लेटफार्म प्रकार) के मॉडल का जिसके ब्रांड का नाम "परफैक्ट" है (जिसे इसमें इसके पश्चात् "माडल" कहा गया है) और जिसे अनुमोदन चिह्न आई. एन. डी./09/2000/97 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) 50 कि.ग्रा. की अधिकतम क्षमता और 11 कि.ग्रा. की न्यूनतम माप का अस्वचालित तोलन उपकरण है। सत्यापन मापमान अन्तराल (ई) का मान 50 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। भार ग्राही आयताकार सेवन काला है जिसकी भुजाएँ 300 × 400 मि.मी. हैं। प्रकाश उत्सर्जक छायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 बोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत् पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि भाँडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शूखला वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 5000 किलोग्राम तक होगी और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान या अन्तराल (एन) को संख्या 10,000 से कम या उसके बराबर है (एन  $\leq$  10,000) तथा जिसका "ई" मान  $1 \times 10$  के  $2 \times 10$  के और  $5 \times 10$  के है, जहां के घणात्मक या ग्रहणात्मक पूर्णक या शून्य के समतुल्य हैं।

[ फा. सं. डब्ल्यू. एम.-21(52)/2000]

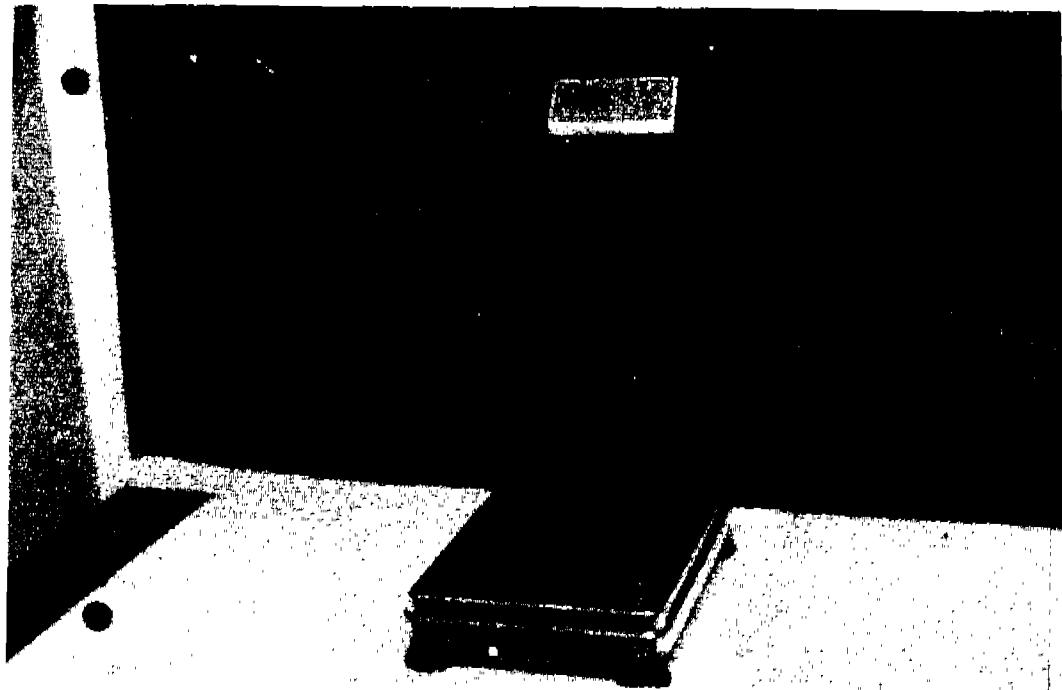
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 25th October, 2000

**S. O. 2476.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (Platform type) belonging to Medium Accuracy (Accuracy class-III) with digital display of 'PPF 65' series with brand name "Perfect" (herein referred to as the Model) manufactured by M/s Perfect Weighing System, 83, M.T.H. Road, Ambattur Industrial Estate, Chennai-98, and which is assigned the approval mark IND/09/2000/97:

The said model (see the figure) is non-automatic weighing instrument. The maximum capacity is 150 kg. with a minimum value of 1 kg. The value of verification scale interval (c) is 50 g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section of side 300 x 400 milimetre. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50-Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 5000 kg. with number of verification scale division (n) less than or equal to 10,000 ( $n \leq 10,000$ ) and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , and  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. W.M.-21(52)/2000]

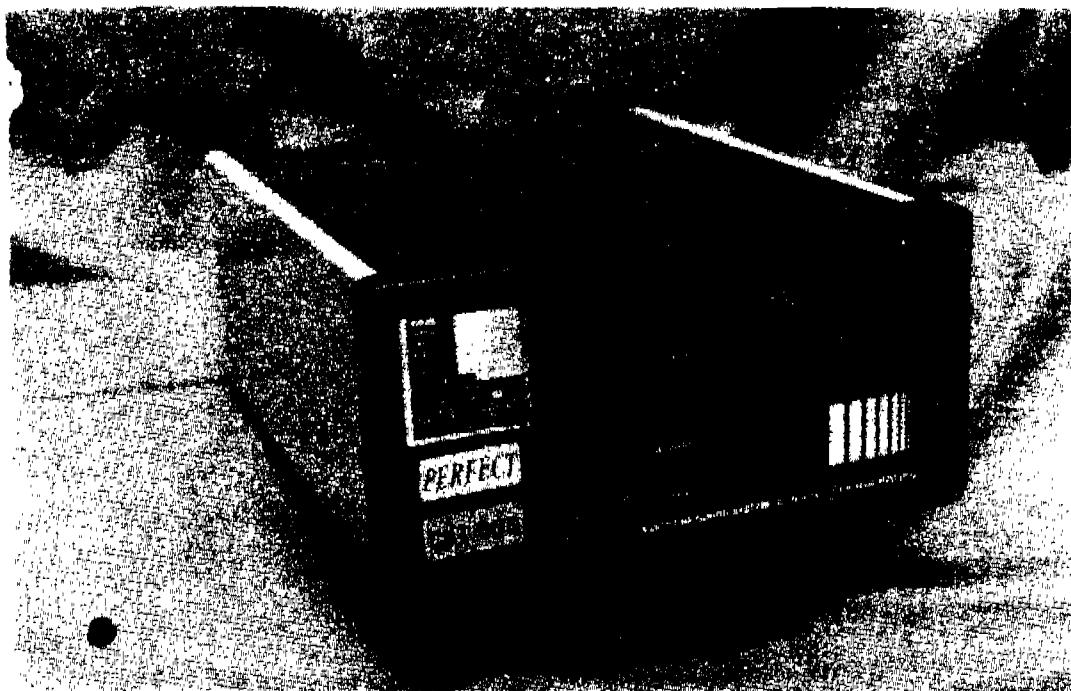
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 25 अक्टूबर, 2000

का. आ. 2477.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (भीथे दी गई आकृति देखें) आट और माप मानक अधिनियम, 1976 (1976 का 60) और आट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

आतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स परफैक्ट वेइंग सिस्टम, 83, एम टी एच रेड, अंबादूर इंडस्ट्रियल एस्टेट, चेन्नई-98 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "सी. के. टी.-560" शृंखला के अस्वचालित इलेक्ट्रोनिक, अंकक प्रदर्श सहित तोलन उपकरण (मल्टी लोडर सेल वे ब्रिज प्रकार) के मॉडल का जिसके ब्रांड का नाम "परफैक्ट" है (जिसे इसमें इसके पश्चात् "मॉडल" कहा गया है) और जिसे अनुमोदन चिह्न आई. एन. डी./09/2000/98 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) 40000 कि.ग्रा. की अधिकतम क्षमता और 100 कि. ग्राम की न्यूनतम माप का अस्वचालित तोलन उपकरण है। सत्यापन मापमान अन्तराल (ई) का मान 10 कि. ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यलक्तलनात्मक धारित आधेयतुलन प्रभाव है। भार ग्राही आयताकार सेक्षण का है जिसकी भुजाएँ  $9.1 \times 2.5$  मि.मी. हैं। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदेशित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 5 टन तक होगी और जिनका विनिर्माण उसी विनिर्माण द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान का अन्तराल (एन) की संख्या 10,000 से कम या उसके बराबर है (एन.  $\leq 10,000$ ) तथा जिसका "ई" मान  $1 \times 10$  के,  $2 \times 10$  के और  $5 \times 10$  के है, जहां के धमात्मक या प्रणालीपक पूर्णीक या शून्य के समतुल्य है।

[फ. सं. झल्यू. एम. 21(52)/2000]

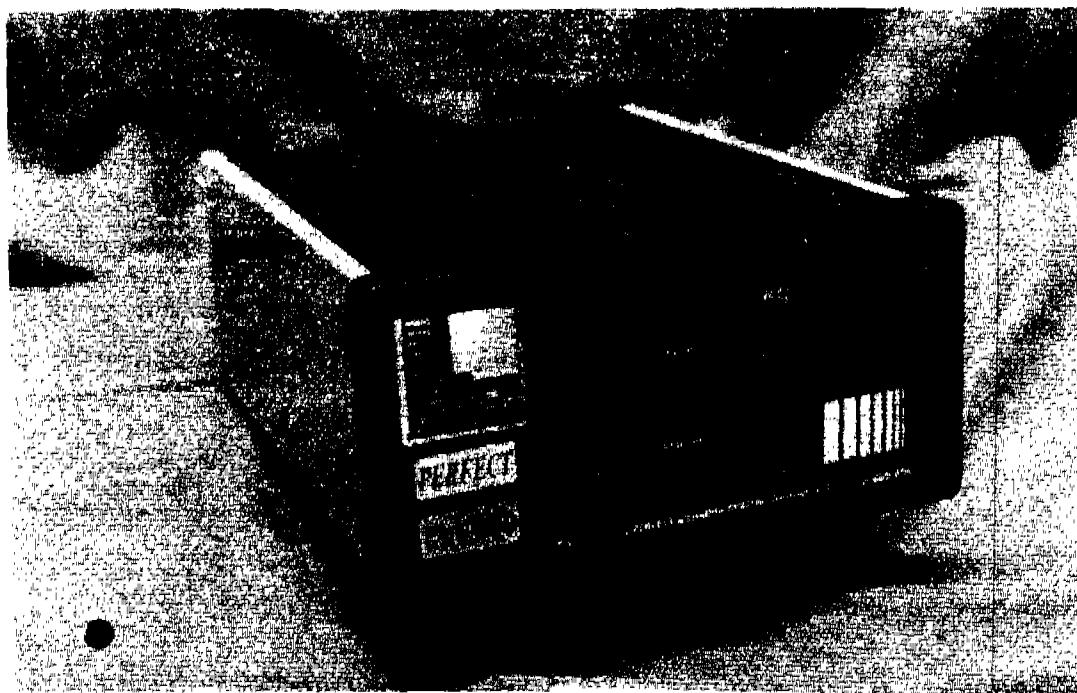
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 25th October, 2000

S. O. 2477.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (Multi-loadcell weigh bridge type) belonging to Medium Accuracy (Accuracy class-III) with digital display of 'CKT 560' series with brand name "Perfect" (herein referred to as the Model) manufactured by M/s Perfect Weighing System, 83, M.T.H. Road, Ambattur Industrial Estate, Chennai-98, and which is assigned the approval mark IND/09/2000/98;

The said model (see the figure) is non-automatic weighing instrument. The maximum capacity is 40000 kg. and with a minimum value of 100kg. The value of verification scale interval (c) is 10 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section of side 18 x 3.6 metre. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50 Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity more than 5 tonne with number of verification scale division (n) less than or equal to 10,000 ( $n \leq 10,000$ ) and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , and  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. W.M.-21(52)/2000]

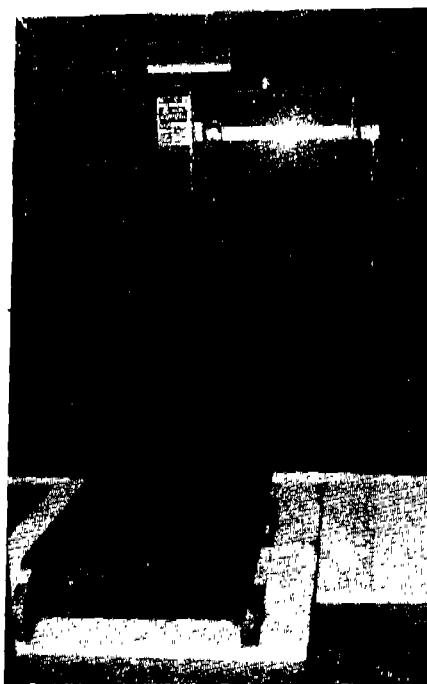
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 25 अक्टूबर, 2000

का. आ. 2478.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स परफैक्ट ऐंग सिस्टम, 83, एम टी एच रोड, अंबातर इंडस्ट्रियल एस्टेट, चेन्नई-98 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "पी. सी. के.-22" शृंखला के अस्वाचालित, अंकक प्रदर्श सहित तोलन उपकरण (संपरिवर्तन किट प्रकार का) के मॉडल का जिसके ब्रांड का नाम "परफैक्ट" है (जिसे इसमें इसके पश्चात् "माइक्स" कहा गया है) और जिसे अनुमोदन विहन आई. एन. डी./09/2000/100 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) 300 कि.ग्रा. की अधिकतम क्षमता और 2 कि. ग्राम की न्यूनतम भान का अस्वाचालित प्रकार का तोलन उपकरण है। सत्यापन मापमान अन्तराल (ई) का मान 100 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यलक्लनात्मक धारित आधेयतुलन प्रभाव है। भार ग्राही आयताकार सेक्शन का है जिसकी भुजाएं 630 × 400 मि.मी. हैं। प्रकाश उत्तर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 बोल्ट्स और 50 हर्टज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 5 टन तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 10,000 से कम या उसके बराबर है (एन.  $\leq 10,000$ ) तथा जिसका "ई" मान  $1 \times 10$  के,  $2 \times 10$  के और  $5 \times 10$  के है, जहां के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फ. सं. डब्ल्यू. एम.-21(52)/2000]

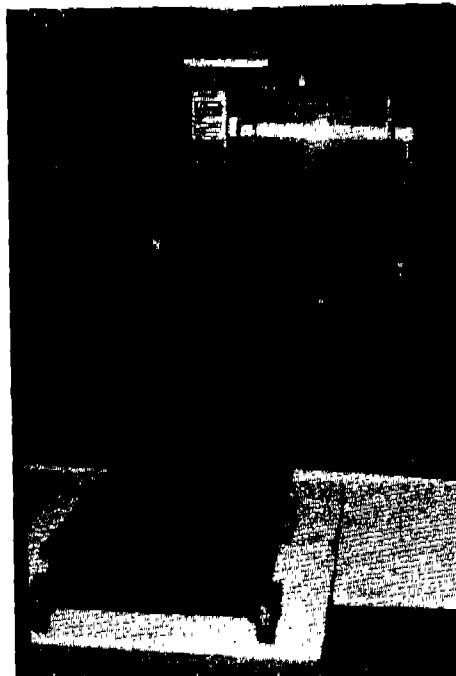
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 25th October, 2000

**S. O. 2478.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (Conversion kit type) belonging to Medium Accuracy (Accuracy class-III) with digital display of 'PCK-22' series with brand name "Perfect" (herein referred to as the Model) manufactured by M/s Perfect Weighing System, 83, M.T.H. Road, Ambattur Industrial Estate, Chennai-98, and which is assigned the approval mark IND/09/2000/100;

The said model (see the figure) is non-automatic weighing instrument. The maximum capacity is 300 kg. and with a minimum value of 2kg. The value of verification scale interval (e) is 100 g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section of side 630×400 milimetre. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50-Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity more than 5 tonne with number of verification scale division (n) less than or equal to 10,000 ( $n \leq 10,000$ ) and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , and  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. W.M.-21(52)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 6 नवम्बर, 2000

का. आ. 2479.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रसूत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्योग के अनुरूप है और इस बात की मंभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा करता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एरिस्ट्रोन थ्रियंग मशीन एंड सिस्टम्स, 61/5, मनुवाई चाल, पुष्पा पार्क, मलाड (पू.), मुंबई-400097 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “ए. एच. डल्लू” शृंखला के अस्वचालित, तोलन उपकरण (टेबल टाप प्रकार का) के मॉडल का जिसके ब्रॉड का नाम “एरिस्ट्रोन” है (जिसे इसमें इसके पश्चात् “माडल” कहा गया है) और जिसे अनुमोदन चिह्न आई. एन. डी./09/2000/128 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) अस्वचालित (टेबल टाप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 12 कि.ग्रा. है और न्यूनतम क्षमता 50 ग्राम है। मत्थापन मापमान अन्तराल (ई) मान 1 ग्राम है। इसमें एक आद्येयतुलन युक्ति है जिसका शत-प्रतिशत व्यलक्तनात्मक धारित आद्येयतुलन प्रभाव है। भार ग्राही वर्गाकार सेक्शन का है जिसकी भुजाएं 250 × 250 मि.मी. हैं। प्रकाश उत्पर्जक लायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 थोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी में, यथार्थता और कार्यकरण वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माण द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्थापन मापमान का अन्तराल (एन) की संख्या 1,00,000 से कम या उसके बराबर है (एन.  $\leq$  1,00,000) तथा जिसका “ई” मान  $1 \times 10^6$ ,  $2 \times 10^6$  के और  $5 \times 10^6$  के है, जहां के धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

[ फा. सं. डल्लू, एम. 21(57)/2000 ]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 6th November, 2000

**S. O. 2479.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (table top type) belonging to high accuracy (Accuracy class-II) of 'AIW' series with brand name "Aristron" (herein referred to as the Model) manufactured by M/s Aristron Weighing Machine & Systems, 61/5, Manubai Chawl, Pushpa Park, Malad (E) Mumbai-400097 and which is assigned the approval mark IND/09/2000/128;

The said model (see the figure) is non-automatic weighing instrument. (Table top type). The maximum capacity is 12 kg. and minimum capacity of 50g. The value of verification scale interval (e) is 1 g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of square section of side 250 x 250 mm. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50-Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with number of verification scale division (n) less than or equal to 1,00,000 ( $n \leq 1,00,000$ ) and with 'e' value of  $1 \times 10k$ ,  $2 \times 10k$  and  $5 \times 10k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. W.M.-21(57)/2000]

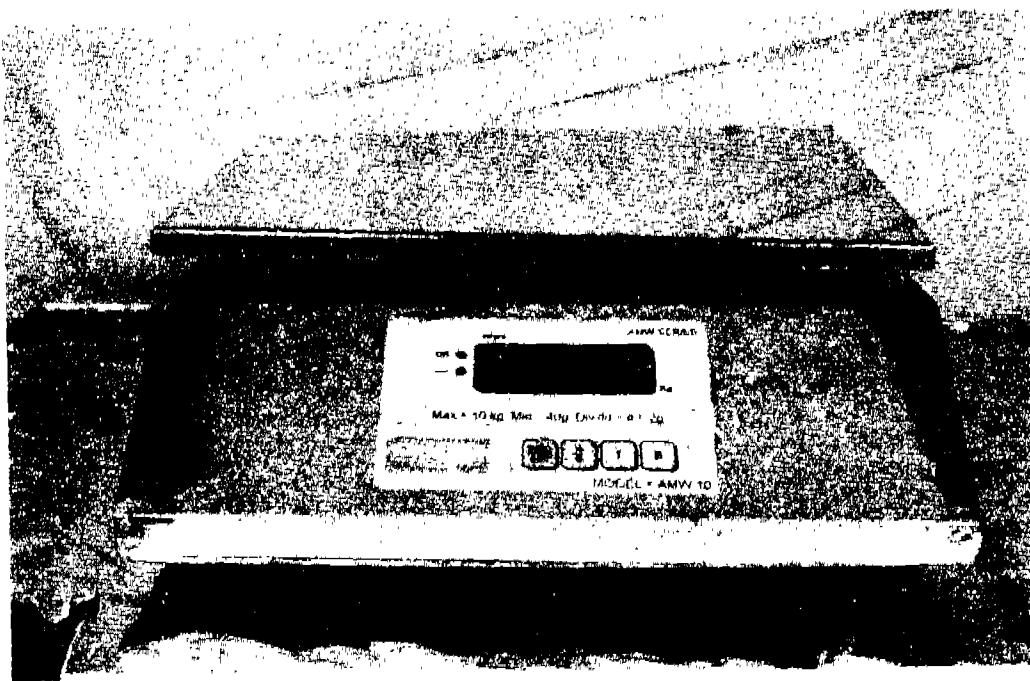
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 6 नवम्बर, 2000

का. आ. 2480.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एरिस्ट्रोन वेयिंग मशीन एंड सिस्टम्स, 61/5, भनुबाई चाल, पुष्पा पार्क, भला० (पू.), मुंबई-400097 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “ए.एम.डब्ल्यू” शृंखला के अस्थचालित, तोलन उपकरण (टेबल टाप प्रकार का) के मॉडल का जिसके बांड का नाम “एरिस्ट्रोन” है (जिसे इसमें इसके पश्चात् “मॉडल” कहा गया है) और जिसे अनुमोदन विहून आई.एन.डी./09/2000/129 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) अस्थचालित (टेबल टाप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 10 कि.ग्रा. और न्यूनतम क्षमता 40 ग्राम है। सत्यापन मापमान अन्तराल (ई) मान 2 ग्राम है। इसमें एक आद्येयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आद्येयतुलन प्रभाव है। भार प्राही वर्गाकार सैक्षण का है जिसकी भुजाएँ 250 × 250 मि.मी. हैं। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी मेक. यथार्थता और कार्यकरण वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया जाता है और जिनके सत्यापन मापमान अन्तराल (एन) की मेंख्ता 10,000 से कम या उसके बराबर है (एन.  $\leq$  10,000) तथा जिसका “ई” मान  $1 \times 10^4$ ,  $2 \times 10^4$  और  $5 \times 10^4$  है, जहां के धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य है।

[ फा. सं. डब्ल्यू. एम. 21(57)/2000 ]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 6th November, 2000

**S.O. 2480.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (table top type) belonging to medium accuracy (Accuracy class-III) of 'AMW' series with brand name "Aristron" (herein referred to as the Model) manufactured by M/s Aristron Weighing Machine & Systems, 61/5, Manubai Chawl, Pushpa Park, Malad (E), Mumbai-400097 and which is assigned the approval mark IND/09/2000/129;

The said model (see the figure) is non-automatic weighing instrument (Table top type). The maximum capacity is 10 kg. and minimum capacity of 40g. The value of verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of square section of side 250 × 250 mm. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50-Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with number of verification scale division (n) less than or equal to 10,000 ( $n \leq 10,000$ ) and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , and  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. W.M.-21(57)/2000]

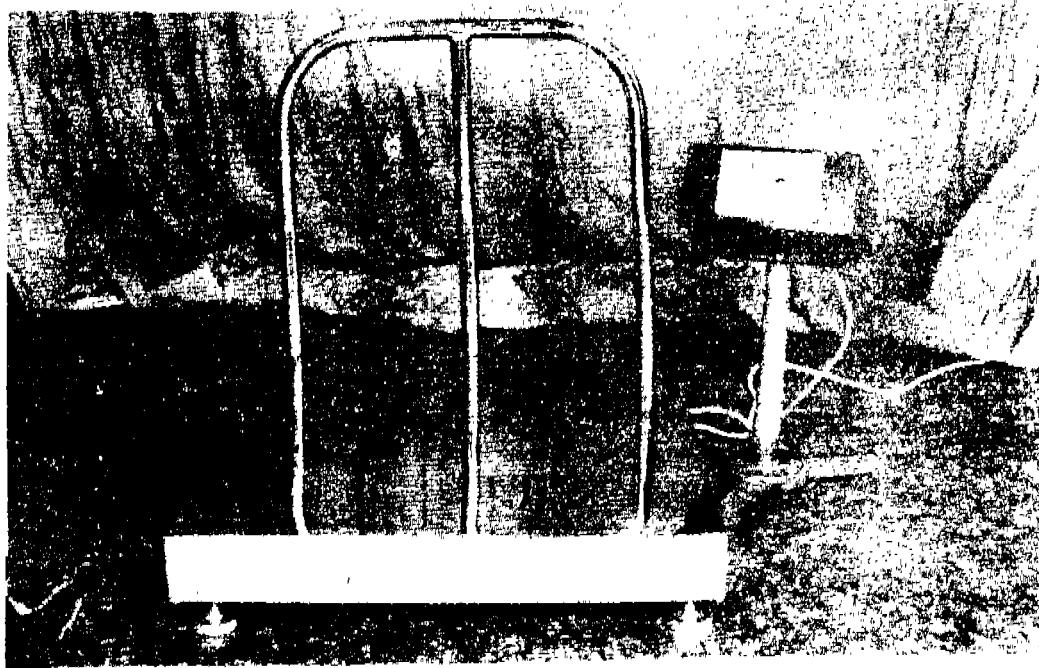
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 6 नवम्बर, 2000

का. आ. 2481.—केन्द्रीय सरकार का, निहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तक द्वाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्युक्तों के अनुरूप हैं और इस द्वारा की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता प्रदान रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा करता रहेगा।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नेसर्व एरिस्ट्रोन बेयिंग भशीन एंड सिस्टम्स, 61/5, मनुवाई खाल, पुण्या पार्क, मलाट (पू.) मुंबई-400097 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता यांग-11) (काले "ए. एम. डब्ल्यू." शृंखला के अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार का) के मॉडल का जिम्मके ब्रांड का नाम "एरिस्ट्रोन" है (नियम इसमें इसके पश्चात् माडल कहा गया है) और जिसे अनुमोदन दिया आई. एन. डी./09/2000/130 समनुदेशित किया, अनुमोदन प्रमाणपत्र दिया गया है।

यह मॉडल (आकृति देखें) अस्वचालित (प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 120 मि.पी. और न्यूनतम क्षमता 500 ग्राम है। सत्यापन मापमान अन्तराल (ई) मान 10 ग्राम है। इसमें एक अद्यतुलन युक्ति है जिसका शत-परिशाल यथावलनात्मक धारित आदेशरालन प्रभाव है। भार ग्राही वार्गिकार सेक्षन का है जिसकी भुजाएं 560 × 560 मि.मी. हैं। प्रकाश उत्पर्जक डायोड (एन ई ई) द्वारा तोलन परियाम उपर्युक्त करता है। उपकरण 230 बोल्ट और 50 घृन्ज प्रत्यार्थी धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा द्वारा है कि भाँडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यकरण आले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 5 टन तक है और जिनका विनिर्माण उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 1,00,000 से कम या उसके बराबर है (एन  $\leq$  1,00,000) तथा जिनका "इ" मान  $1 \times 10^8$ ,  $2 \times 10^8$  और  $5 \times 10^8$  है, जहां के धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

[ का. भ. डब्ल्यू. एम. 21(57)/2000 ]

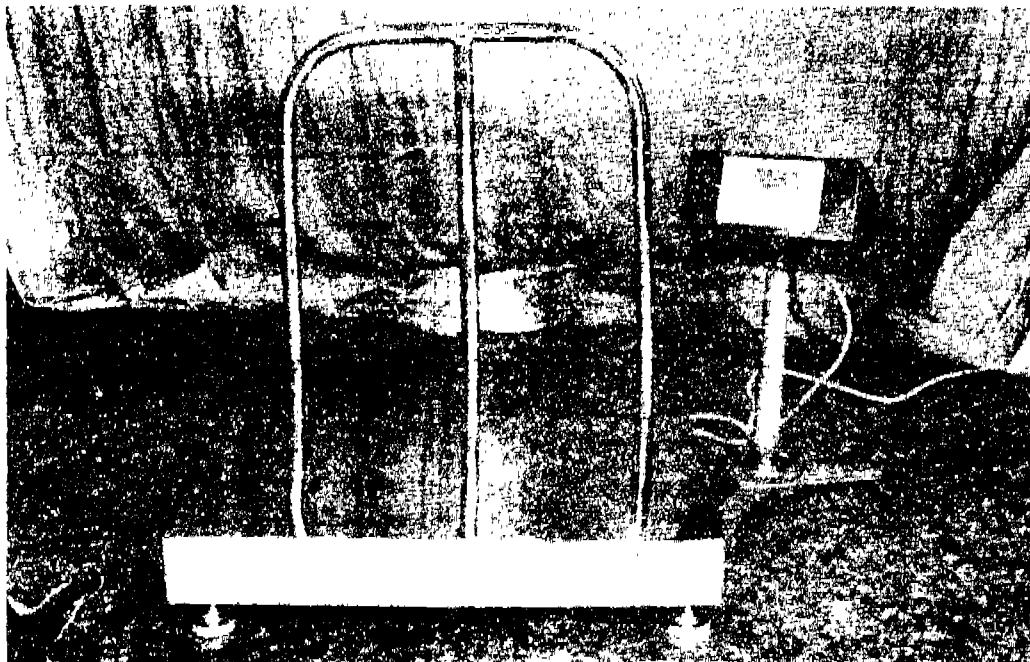
पी. ए. कृष्णमुर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 6th November, 2000

**S. O. 2481.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (Platform type) belonging to high Accuracy (Accuracy class-II) of 'AIHW' series with brand name "Aristron" (herein referred to as the Model) manufactured by M/s. Aristron Weighing Machine & Systems, 61/5, Manubai Chawla, Pushpa Park, Malad (E), Mumbai-400097 and which is assigned the approval mark IND/09/2000/130;

The said model (see the figure) is non-automatic weighing instrument (platform type). The maximum capacity 120 kg. and minimum capacity 500g. The value of verification scale interval (e) is 10g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of square section of side 560 x 560 mm. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50-Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 5 tonnes with number of verification scale division (n) less than or equal to 1,00,000 ( $n \leq 1,00,000$ ) and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , and  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved Model has been manufactured.

[F. No. W.M. 21(57)/2000]

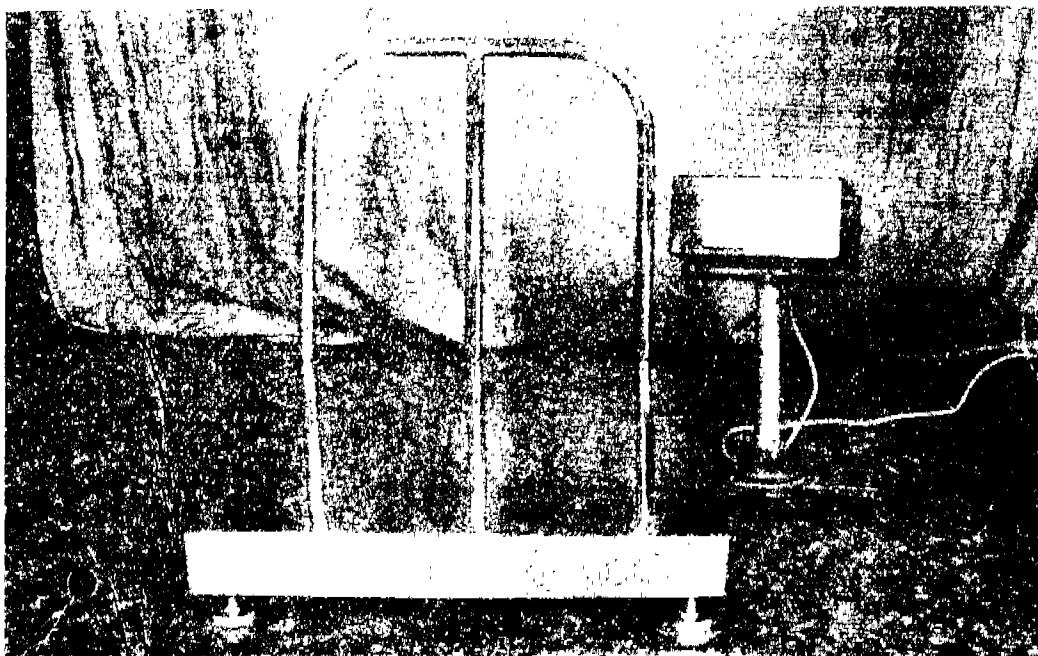
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 6 नवम्बर, 2000

का. आ. 2482.—केन्द्रीय भारत और विभिन्न प्राधिकारी द्वारा उन विवेचनों पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (भीने दी गई आकृति देखें) बाट आप सामने अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन), नियम, 1987 के उपर्योग के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न पारंगतियों में उपयोग समर्थन होता रहेगा,

अतः केन्द्रीय सरकार, उक्त अधिनियम का धारा 33 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एस्ट्रोन वेबिंग मशीन एंड मिल्स, 61/5, भगुनारा लालग, दुष्या पांडे, एम.एस.एस.पी. मुमर्स 100077 द्वारा वर्णित मध्यम यथार्थता (यथार्थता लागे-11) वाले “ए. एम. डब्ल्यू” शृंखला के अस्वचारिता, लोटफारे पाकार के नाम उपकारण के भौतिक लक्षणों के लिए योगदान “सरियों” हैं (जिसे इसमें इसके पश्चात “मॉडल” कहा गया है) और इसे अनुमोदन भिन्न आद. एम. डी. 21/2000/13। समन्वयित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

यह मॉडल (आकृति देखें) पर असचान्ति (प्रत्यक्षार्थ प्रकार का) तोतन उपकरण है। इसकी अधिकतम क्षमता 100 कि.ग्रा. और न्यूनतम क्षमता 400 ग्राम है। सत्यापन मापमान अन्तराल (ई) मान 20 याम है। इसमें एक आपेक्षतुल्य युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आदेष्यतुल्य प्रभाव है। भार ग्राही कर्णायार संख्यात का है जिसकी भावना  $1.0 \times 5.60$  याम मी हैं। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोतन परिणाम उपर्याप्त करता है। उपकरण 230 वाल्ट और 50 हर्ट्ज प्रत्यक्ष प्रदर्श पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 को उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी भेंक, यथार्थता और कार्यकरण वाले ऐसे तोतन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 5 टन तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 10,000 से कम या उसके बराबर है (एन.  $\leq 10,000$ ) तथा जिसका “ई” मान  $1 \times 10^8$ ,  $2 \times 10^8$  और  $5 \times 10^8$  है, जहां के भनात्मक या क्रणात्मक या शून्य के समतुल्य है।

[ फा. सं. डब्ल्यू. एम.-21(57)/2000]

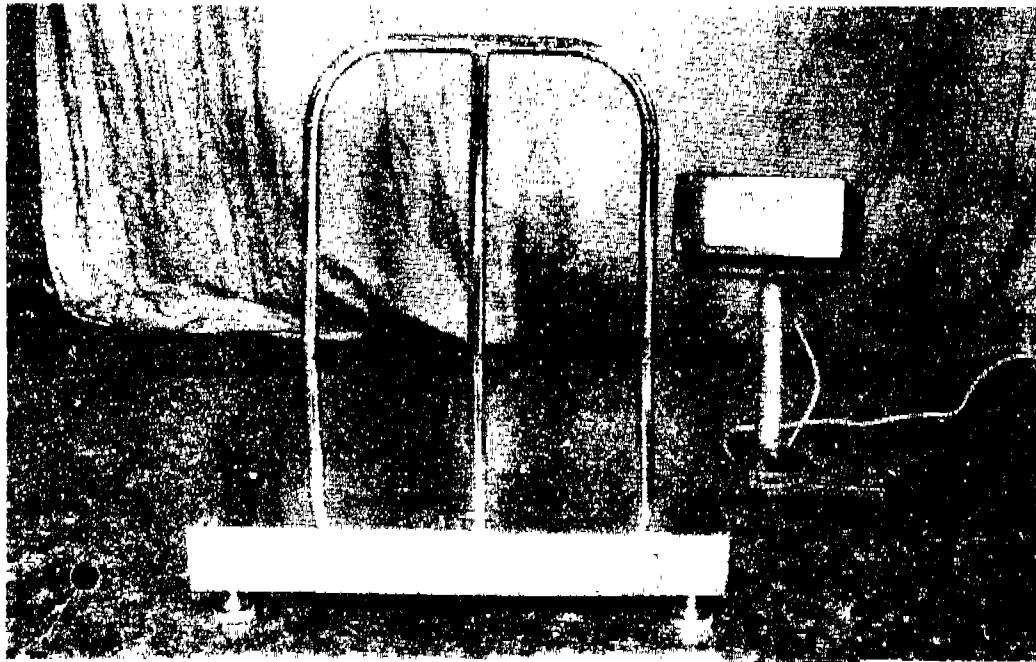
पी. ए. कृष्णमूर्ति, मिनेशक, विधिक माप विज्ञान

New Delhi, the 6th November, 2000

S. O. 2482.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1977 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (Platform type) belonging to medium Accuracy (Accuracy class-III) of 'AMW' series with brand name "Aristron" (herein referred to as the Model) manufactured by M/s Aristron Weighing Machine & Systems, 61/5, Manubai Chawl, Pushpa Park, Malad (E), Mumbai-400097 and which is carrying the approval mark IND/09/2000/131;

The said model (see the figure) is non-automatic weighing instrument (platform type) The maximum capacity is 100 kg. and minimum capacity of 100g. The value of verification scale interval (e) is 20g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of square section of side 560 × 560 mm. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50-Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 5 tonne with number of verification scale division (n) less than or equal to 10,000 ( $n \leq 10,000$ ) and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , and  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved Model has been manufactured.

[F. No. W.M.-21(57)/2000]

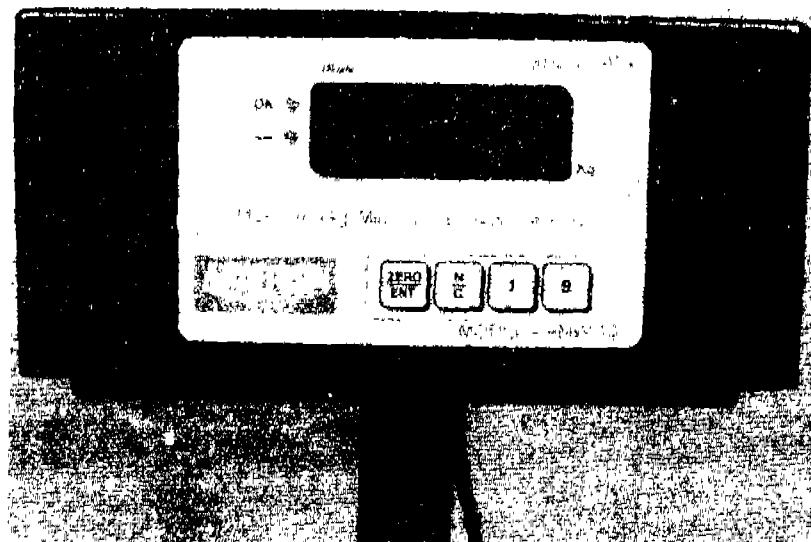
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 6 नवम्बर, 2000

का. आ. 2483.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्युक्तों के अनुरूप हैं और इस बाट की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, ऐससे एरिस्ट्रोन वेयिंग मशीन एंड सिस्टम्स, 61/5, मनुषार्इ चाल, पुष्टा पार्क, मलाड (पू.) मुंबई-400097 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "ए एम सी" शृंखला के अस्वाकालित तोलन उपकरण (प्लेटफार्म के लिए संपरिवर्तन किट) के मॉडल का जिसके आंडे का नाम "एरिस्ट्रोन" है (जिसे इसमें इसके पश्चात् "माडल" कहा गया है) और जिसे अनुमोदन चिह्न आई. एन. डी./09/2000/132 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) अस्वाकालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 100 कि.ग्रा. और न्यूनतम क्षमता 400 ग्राम है। सत्यापन मापमान अन्तराल (ई) का 20 ग्राम है। इसमें एक आदेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित अद्येयतुलन प्रभाव है। भार ग्राही आयताकार सेक्शन का है जिसकी भुजाएं 630 × 400 मि.मी. हैं। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विषुत पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यकरण वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 5 टन तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 10,000 से कम या उसके बराबर है (एन  $\leq$  10,000) तथा जिसका "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  और  $5 \times 10^*$  है, जहां के घनात्मक या शृणात्मक पूर्णक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू. एम. 21(57)/2000]

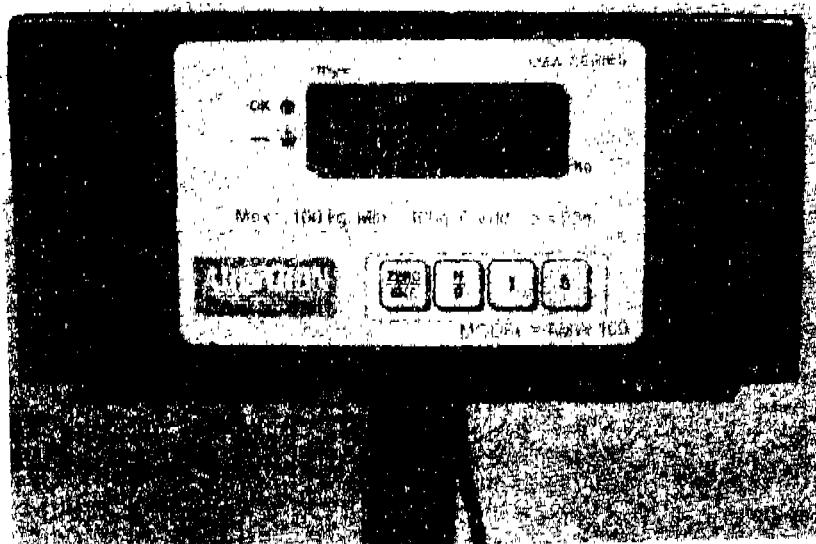
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 6th November, 2000

**S. O. 2483.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (conversion kit for platform) belonging to medium Accuracy (Accuracy class-III) of 'AMC' series with brand name "Aristron" (herein referred to as the Model) manufactured by M/s. Aristron Weighing Machine & Systems, 61/5, Manubai Chawl, Pushpa Park, Malad (E), Mumbai-400097 and which is assigned the approval mark IND/99/2000/132;

The said model (see the figure) is non-automatic weighing instrument (table top type). The maximum capacity is 100 kg, and minimum capacity of 400 g. The value of verification scale interval ( $e$ ) is 20g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section of side  $630 \times 400$  mm. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50-Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 5 tonne with number of verification scale division (n) less than or equal to 10,000 ( $n \leq 10,000$ ) and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , and  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved Model has been manufactured.

[E. No. W.M.-21(57)/2000]

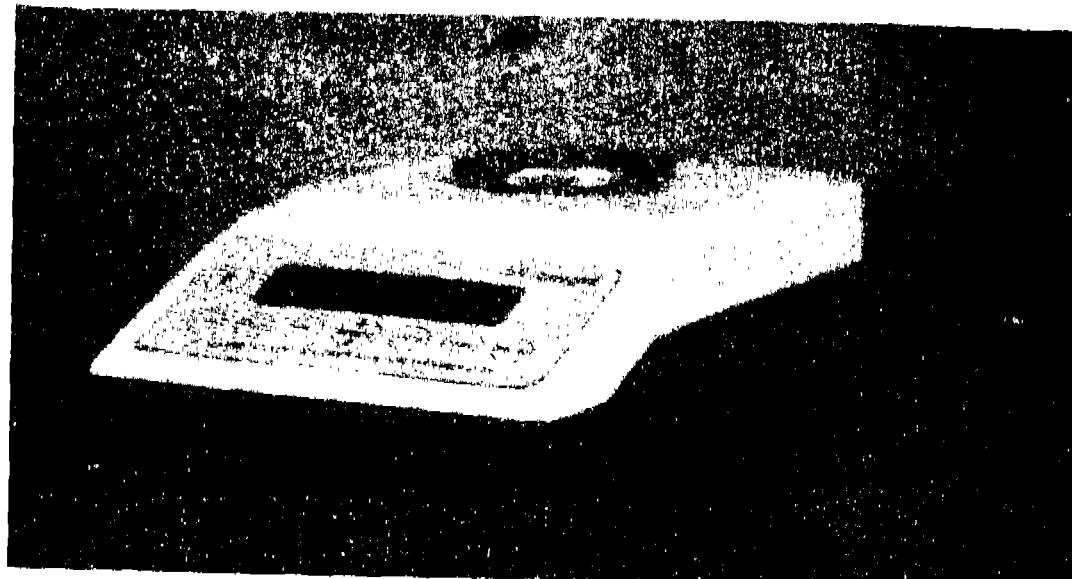
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 6 नवम्बर, 2000

का. आ. 2484.—केन्द्रीय सरकार का, विहित अधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (गीचे दो गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुसूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल व्याधार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स रमैया कंट्रोल्स, 6-125, गुंड पल्ली, इंद्राजीम पटनम मंडल, विजयवाड़ा-521241 द्वारा विनिर्मित विशेष व्याधार्थता (व्याधार्थता वर्ग-I) वाले "आर ए-120-I" शृंखला के स्वतः सूचक, अस्वचालित, इलेक्ट्रोनिक, अंकक सूचन सहित तोलन उपकरण (टेबल टाप प्रकार का) के मॉडल का जिसके ब्रांड का नाम "आर ए-जे-I एम" है (जिसे इसमें इसके पश्चात् "मॉडल" कहा गया है) और जिसे अनुमोदन विहन आई. एन. डी./09/2000/101 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) जिसकी अधिकतम क्षमता 120 ग्राम और 100 मि. ग्राम की न्यूनतम क्षमता का अंकक सूचन सहित अस्वचालित प्रकार का तोलन उपकरण है। सत्यापन मापमान अन्तराल (ई) का मान 1 मिलीग्राम है। इसमें एक अद्येतुलन युक्ति है जिसका शत-प्रतिशत व्यलकलनात्मक धारित अद्येतुलन प्रभाव है। भारप्राही आवताकार सेवन वाला है जिसकी भुजाएं 90 मि.मी. व्यास वाली हैं। प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 बोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 50 कि. ग्राम तक है और जिनका विनिर्माण उसी विनिर्माण द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिसके सत्यापन मापमान अन्तराल (एम) की संख्या 50,000 से अधिक या उसके बराबर है (एन  $\geq 50,000$ ) तथा जिसका "ई" मान  $1 \times 10^4$ ,  $2 \times 10^4$  और  $5 \times 10^4$  है, जहां \* घनात्मक या अृणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम.-21(91)/2000]

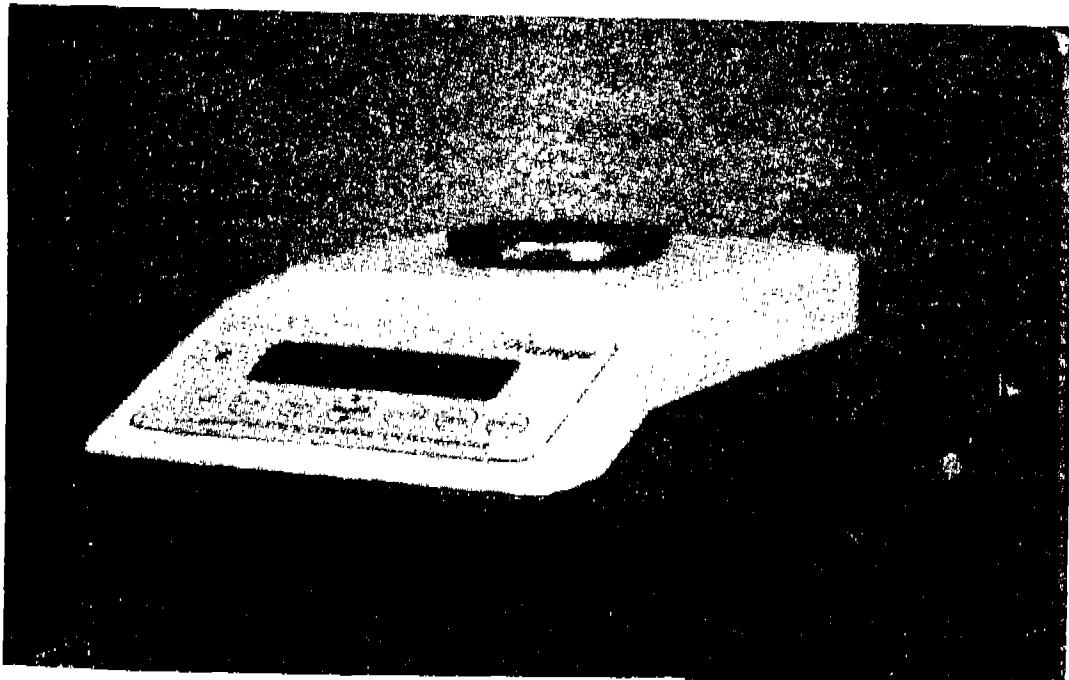
पी. ए. कृष्णमूर्ति, विदेशक, विधिक माप विज्ञान

New Delhi, the 6th November, 2000

**S. O. 2484.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (Table Top type) belonging to Special Accuracy (Accuracy class-I) with digital display of 'RA-120-I' series with brand name "RAJ-1M" (hereinreferred to as the Model) manufactured by M/s. Ramya Controls, 6-125, Guntu Pally, Ibrahim Patnam Mandal, Vijayawada-521241, and which is assigned the approval mark IND/09/2000/101;

The said model (see the figure) is non-automatic weighing instrument. The maximum capacity is 120g, and with minimum capacity of 100 mg. The value of verification scale interval (e) is 1mg. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section of side 90 mm. DIA. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50-Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg, with number of verification scale division (n) more than or equal to 50,000 ( $n \geq 50,000$ ) and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , and  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved Model has been manufactured.

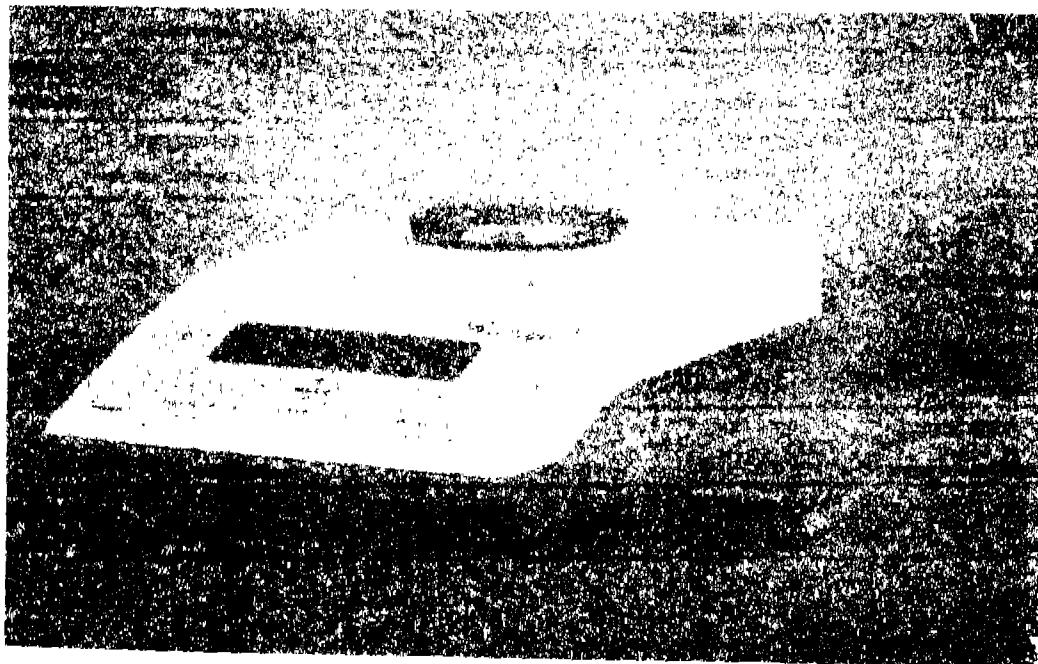
[F. No. W.M.-21(91)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

સાધુ દિલ્લી - ૧૯૫૫ (૨૦૧૫)

अतः अयं केन्द्रीय भारकार, जहाँ नार्थेनियम का भाग ३६ की विवरता (७) हाँ प्रदृश शक्तियों का प्रारंभ रखते हुए, भैसर्व रमेया कंट्रोल्स, ६-१२५, युद्ध वस्तुओं इताशीष पहलग प्राप्ति, विवरता-८०१२४१ राम विनियोग विवेष व्यापारीय (यशायेना श्री-१) विवरता "आ० ए-३००-II" शुरुखला के अस्वत्तालित अक्कक प्रदृश साइट सोलत उपलब्ध (टैप-प्राप्त प्रकार), तो जीवन का विवरते बोहं व्यवस्था "वाह १० ए०" है (जिसे इसमें इसके परवाना "सालरा" कहा जाता है) और जिसे अनुसार विवरता अहै एवं डैटा-८००८०१०० लान्प्रैरित विवरता जाता है, अनुसारा प्राप्तियां प्रकाशित करती है।

यह भैंडिल (भाकुरी दंडें) अस्यधारित शीलना उपकारण है। यह भैंड, अधिकतम क्षमता 300 ग्राम वाला गृहाम धारणा 300 मि. ग्राम है। स्त्रियोंने अधिकांश अन्तराल (ई) 10 मिया. है। इसमें एक लार्योग्रूलन ग्रैविटी है जिसकी एक-प्रतिशत अव्यवक्तुताके धर्तरत अन्तरालन प्रभाव है। प्रकाश उत्तरांक डायोग्रै द्वर्दश तोलन परिणाम उपलब्धित करता है। भार वाली अव्यवक्तुता सेवायां यात्रा है जिसकी एक मुख्य 100 मि.मी. व्यास की है। प्रकाश त्रुत्यक्रम द्वारा द्वर्दश तोलन परिणाम उपलब्धित वर्तमान है। उत्तरांक 230 ग्रूलन जीव 50 मि.मी. अव्यवक्तुता का उत्तरांकी ग्रैविटी व्यवक्तुता प्रदान पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वाग प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शुरूखता साले एसे उपकरण भी होंगे, जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका विनियोग उसी विनियोग द्वारा उसी सिद्धान्त, डिजाइन और उसी व्यवस्था से किया जाता है जिससे अनुमोदित मॉडल या विनियोग किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 1,00,000 से कम या उसके बराबर है (एन.  $\leq 1,00,000$ ) तथा जिसका “ई” मान  $1 \times 10^8$ ,  $2 \times 10^8$  और  $5 \times 10^8$  है, जहां के धनात्मक या अनुत्तमक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. फल्ल्य. एम.-21(91)/2000]

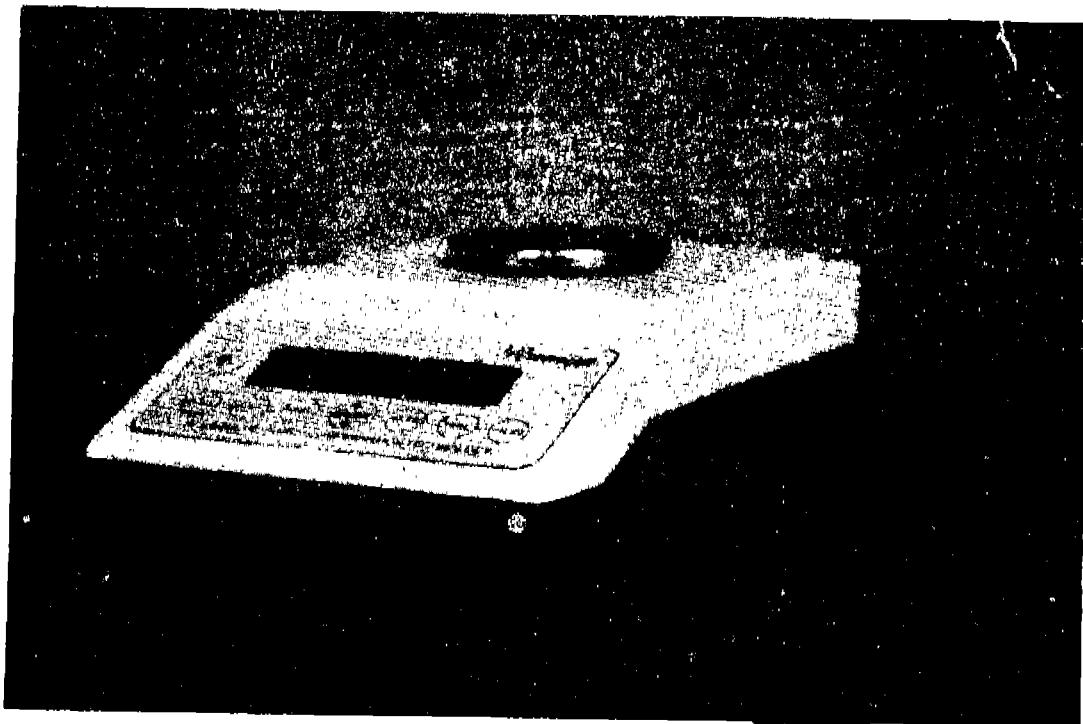
पी. ए. रुद्रामर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 6th November, 2000

S. O. 2485.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (Table Top type) belonging to High Accuracy (Accuracy class-II) with digital display of 'RA300-II' series with brand name "RAJ-10M" (herein referred to as the Model) manufactured by M/s Raanya Controls, 6-125, Guntu Pally, Ibrahim Patnam Mandal, Vijayawada-521241, and which is assigned the approval mark IND/09/2000/102;

The said model (see the figure) is non-automatic weighing instrument. The maximum capacity is 300 g. and with minimum capacity of 200 mg. The value of verification scale interval (e) is 10mg. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section of side 100 mm. DIA. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50-Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with number of verification scale division (n) less than or equal to 1,00,000 ( $n \leq 1,00,000$ ) and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , and  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

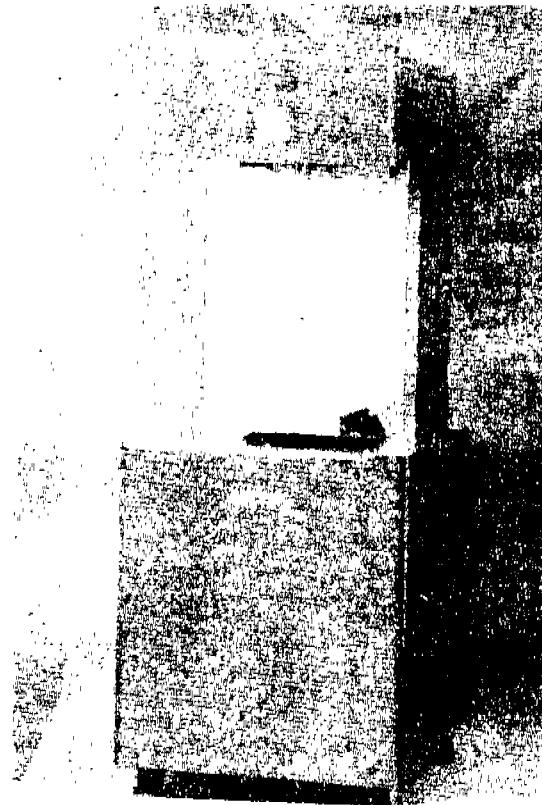
[F. No. W.M.-21(91)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 10 नवम्बर, 2000

का. आ. 2486.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा मॉडल अनुमोदन और परीक्षण के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (3) के तीसरे परन्तुक और उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, स्वत्रालित तोलन मशीन (ए.डी.डी-एफ ए.डी.आई-एफ के बी-एस-95 माइक्रो प्रोसेसर अधारित) के मॉडल का, जिसके ब्रांड का नाम आई पी ए फ्लॉमैटिक्स प्रा. लि. है (जिसे इसमें इसके पश्चात “माडल” कहा गया है) और जिसका विनिर्माण मैसर्स आई पी ए फ्लॉमैटिक्स प्रा. लि. साईट सं. 17, सर्वे सं. 43/1, नागरिकोंपोस्ट, टेस्सरधडा रोड, जंगलौर-73 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई.एन.डी./13/2000/-90 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



इस मॉडल की अधिकतम भरण क्षमता 6 लीटर है। इस मशीन में चार प्रकार के तेलों के लिए स्वतंत्र पर्सिंग यूनिटों के साथ एक सामान्य तोलन प्लेटफार्म है, जिसमें विक्रय के लिए चार विभिन्न तेलों का निस्सारण करने के लिए अधिकतम चार नोजल हो सकते हैं। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। भरण संख्या प्रति घंटा 60-600 है। उसी सिद्धान्त के अनुमरण में उसी सामग्री से उसी निर्माता द्वारा निर्मित 250 मि.लि. से 6 लीटर की श्रेणी की न्यूनतम क्षमता की सभी अन्य मशीनें इस मॉडल के ही अंतर्गत होगी।

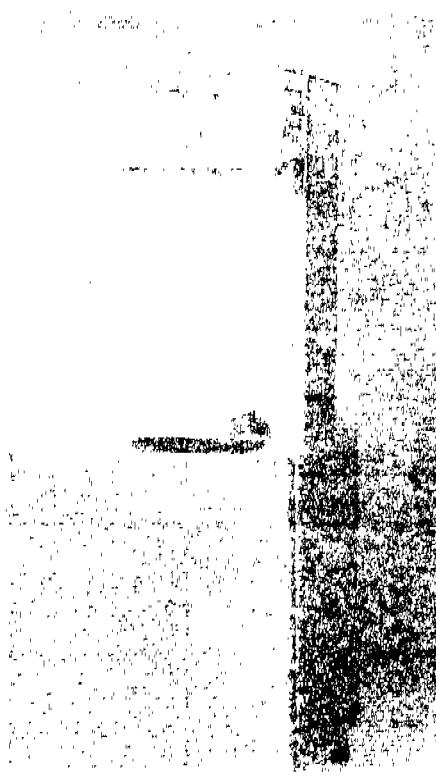
[फा. सं. डब्ल्यू. एम.-21(79)/95]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th November 2000

S. O. 2486.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, along with the model, layout and test results, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and sub-sections (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the automatic weighing machine (ADD-FADI-FRS-5-05 microprocessor based) with brand name "IPA Flowmatics Pvt. Ltd. (herein after referred to as the model) Manufactured by M/s IPA Flowmatics Pvt. Ltd. site No. 17, Survey No. 43/1, Nagasandra Post, Hessarghatta Road, Bangalore-73 and which is assigned the approval of Model mark IND/13/2000/90;



The model has a maximum filling capacity of 6 litre. The machine may consist of maximum four nozzles for four different oils to be discharged for vending, having a common weighing platform, having independent pumping units for four types of oils. The display is of Light Emitting Diode type. The no. of fills is 60-600 per hour. All other machines with minimum capacity of range 150 ml to 6 litre manufactured by the same manufacturer in accordance with the same principle and with the same material shall also be covered under this model.

[F. No. W.M.-21(79)/95]

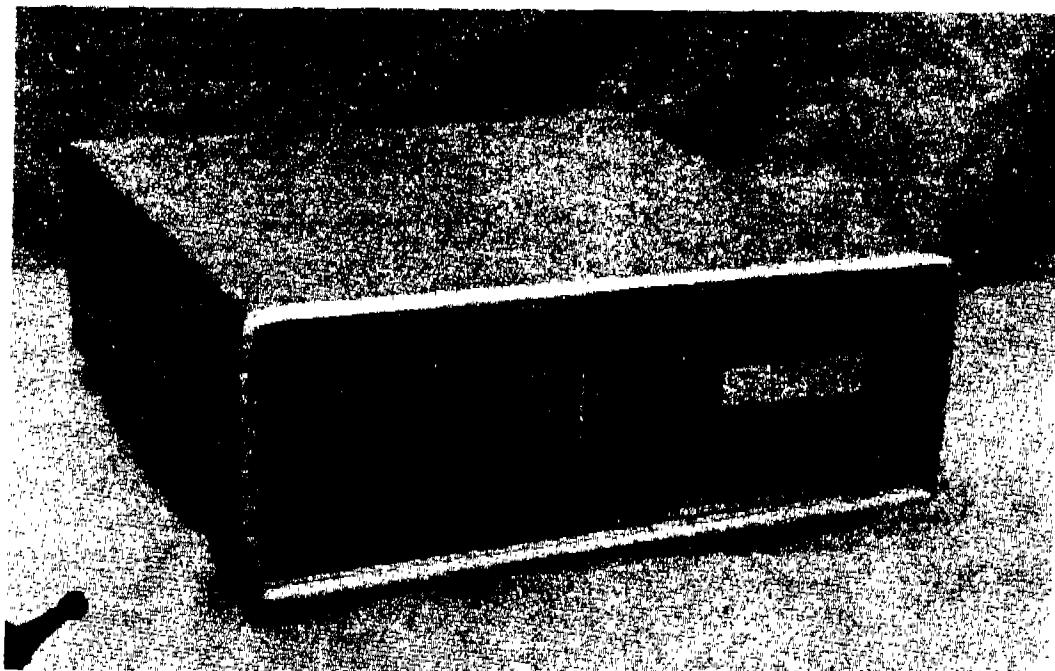
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 10 नवम्बर, 2000

का. आ. 2487.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्युक्तों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स परफैक्ट वेइंग सिस्टम, 83, एम टी एच रोड, अंबादुर इंडस्ट्रियल एस्टेट, चेन्नई-98 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “पी. डब्ल्यू. ए.-560” शृंखला के अस्वाचालित अंकक प्रदर्शन सहित तोलन उपकरण (कनवर्सन हाईब्रिड प्रकार) के मॉडल का जिसके ब्रांड का नाम “परफैक्ट” है (जिसे इसमें इसके पश्चात “मॉडल” कहा गया है) और जिसे अनुमोदन दिया आई. एन. डी./09/2000/99 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) 25000 कि.ग्रा. की अधिकतम क्षमता और 100 कि. ग्राम की न्यूनतम के अस्वाचालित प्रकार का तोलन उपकरण है और यथार्थता वर्ग (यथार्थता वर्ग) का है। सत्यापन मापमान अन्तराल (ई) का मान 5 कि. ग्राम है। इसमें एक अद्येयतुलन युक्ति है जिसका शत-प्रतिशत व्यालकलनात्मक धारित अद्येयतुलन प्रभाव है। भार प्राही आयताकार सेक्शन का है जिसकी भुजाएं 9-1 × 2.5 मि.मी. हैं। प्रकाश उत्सर्जक डायोड प्रदर्शन तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्टज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 5 टन से ऊपर होंगी और जिनका विनिर्माण उसी विनिर्माणता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमंदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 10,000 से कम या उसके बराबर है (एन.  $\leq 10,000$ ) तथा जिसका “ई” मान  $1 \times 10^8$ ,  $2 \times 10^8$  और  $5 \times 10^8$  है, जहां के धनात्मक या ऋणात्मक गूणीक या शून्य के समतुल्य है।

[फ. सं. डब्ल्यू. एम. 21(52)/2000]

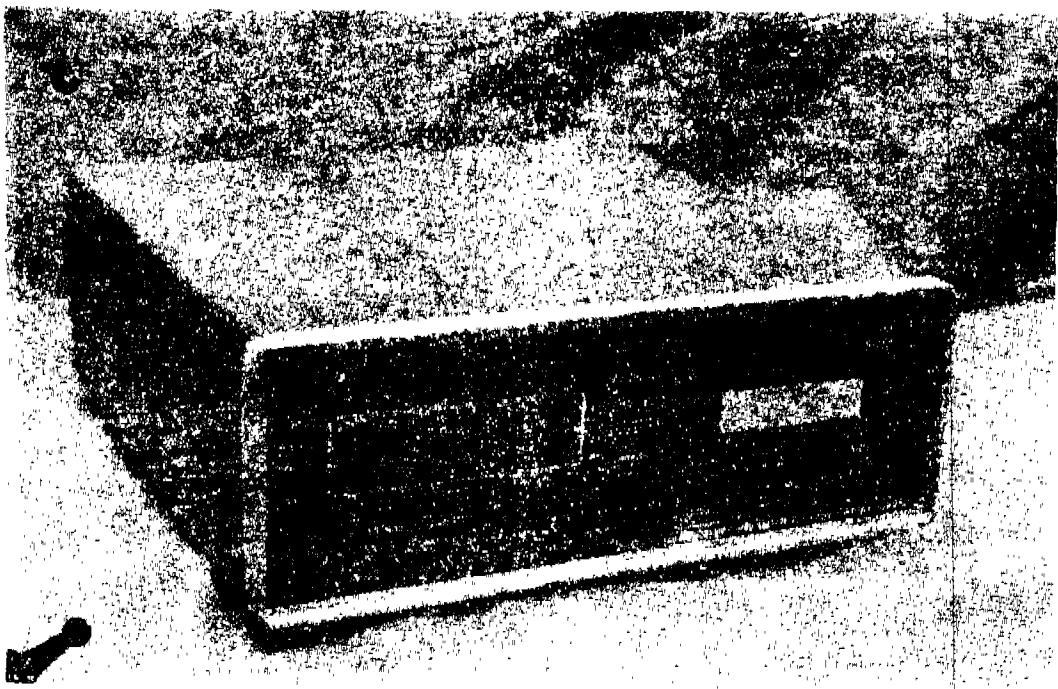
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

(New Delhi, the 10th November, 2010)

**S. O. 2487.** -Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (6 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the power conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval or model of non-automatic weighing instrument (Conversion hybrid type) belonging to Medium Accuracy Accuritech M. Ltd., a division of P.W.I. 509\* series with brand name "Persoft" (herein referred to as the Model) at 17, 18 & 19, 2nd Floor, Ambillur Industrial Estate, 84, M.T.B. Road, Ambillur Industrial Estate, Chennai 98, and which has a net legal upper limit mark 1000 kg.

The said model (see the figure) is a non-automatic weighing instrument. The maximum capacity 25000 kg, and with a minimum value of 100 kg. The value of verification scale interval ( $\tau$ ) is 5 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section of side 9.1 x 2.5 millimetre. The Light Emission Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50-Hertz alternate current power supply.



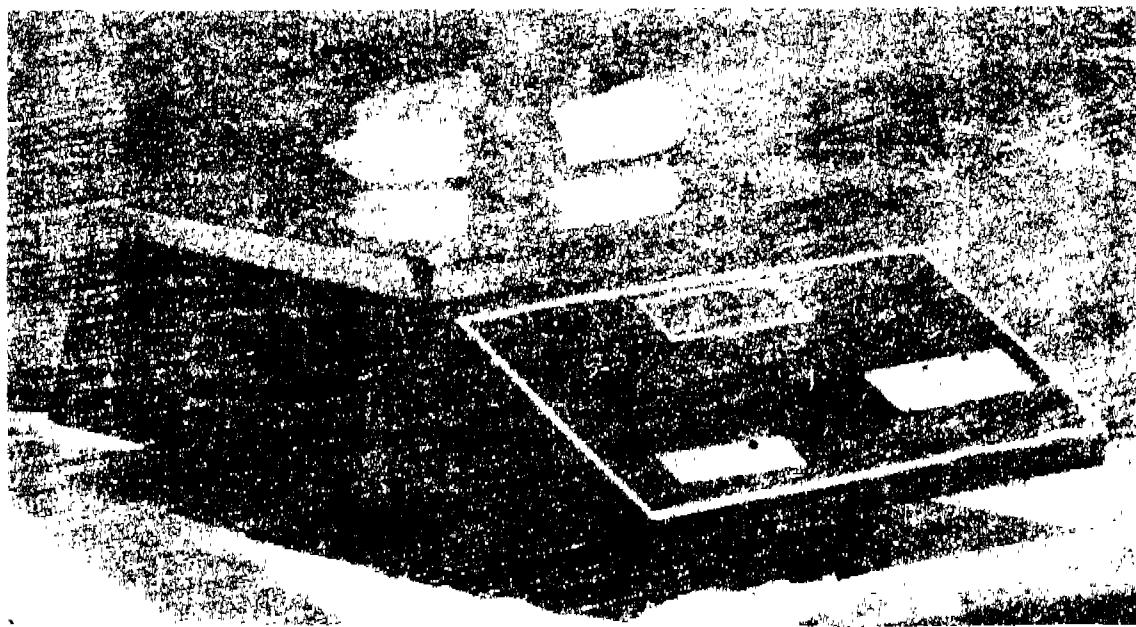
Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity more than 5 tonne with number of verification scale division (n) less than or equal to  $10,000$  ( $n \leq 10,000$ ) and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , and  $5 \times 10^k$ ,  $k$  being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F No. W.M.-21(52)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

ग्रन्थ विवर १० वर्षमध्ये २००८

गहराई गहराई (आकृति दी ३५ न.) विद्युती की विद्युत वर्षा का २० मिनटी और उन्नतम वर्षा १०० ग्राम है, तो वह गहराई है। सल्ली तथा वर्षा गहराई गहराई (इ) मान ५ ग्राम है। इसमें एक जलवायन यूनिट है जिसमें ०.२-०.४ लीटर वर्षा वायरल वर्षा वर्षा का अन्तिम आवधारणा वर्षा है। ०.२ ग्रामी आवधारणा के जिसकी गुणवार्ता  $230 > 300$  मि मी है। वर्षाका नमूना जलवायन वर्षा का गहराई वर्षा है। उपर्युक्त २०० ग्रामी वर्षा ५० है। वर्षावर्ती वर्षा विद्युत प्रदायन पर कार्य करता है।



जैसे, केंद्रीय संसद द्वारा विधायिका विधि २० वार्षिक (12) द्वारा गठन शक्तियों के प्रयोग करते हुए यह दोषों का भरती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उमीं युवाओं के विमान व्यापारी और कायापालन अन्तर रखने की १० अंतर्करणीय होंगी, जिनकी अधिक वार्षिक ५० किलोट्रॉन्स हैं और जिनका विनिर्माण उमीं विनिर्माण द्वारा जी १० अंतर्करणीय होने के बाद से किया जाता है जिससे अनुमोदित अंतर्करण विनिर्माण किया जाया है और जिनके संलयापन व्यापारान अन्यराल (एन) की अधिकतम रेतियां ०.०१० में कम या उसके बगतर हैं (एन  $\leq 10,000$ ) तथा जिनका 'इ' जान  $\times 10^3$ ,  $2 \times 10^3$ ,  $5 \times 10^3$  है, जिसमें 'इ' प्रत्यक्ष या क्रूपाक्ष प्रारूपक या शृंखल के समतुल्य है।

[फा. सं. छन्दू. एम. 21(44)/2000]

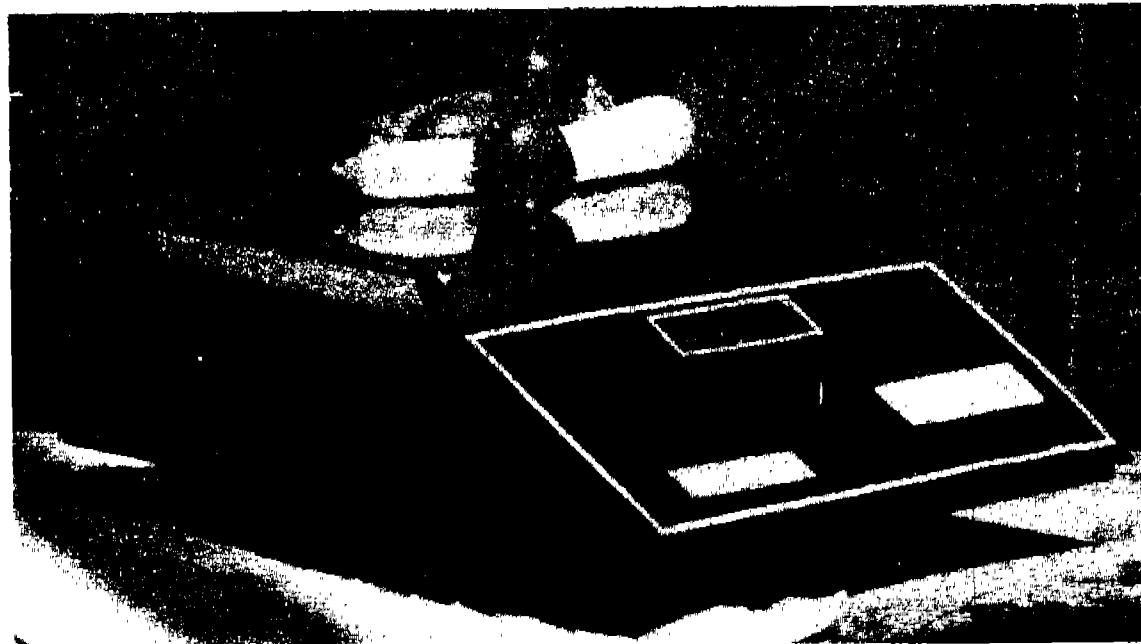
पी. प. कृष्णमर्ति, निरोगक, विधिक भाष्य विज्ञान

New Delhi, the 10th November, 2000

S. O. 2488.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self indicating non-automatic, (table top type) weighing instrument with digital indication of "LWC" series of Medium Accuracy (Accuracy class-III) and with brand name "El-weigh" (herein after referred to as the Model) manufactured by M/s Sensors and Systems, 3, Panchdeep layout, Jaiprakash Nagar, Nagpur-440025 and which is assigned the approval mark IND/09/2000/120;

The said model (figure given) is a weighing instrument with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section of side 230 x 300 millimetre. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50-Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument similar accuracy and performance of same series with maximum capacity upto 50 kg. with number of verification scale internal (n) less than or equal to 10,000 ( $n \leq 10,000$ ) and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , and  $5 \times 10^k$ ,  $k$  being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model have been manufactured.

[F. No. W.M.-21(44)/2000]

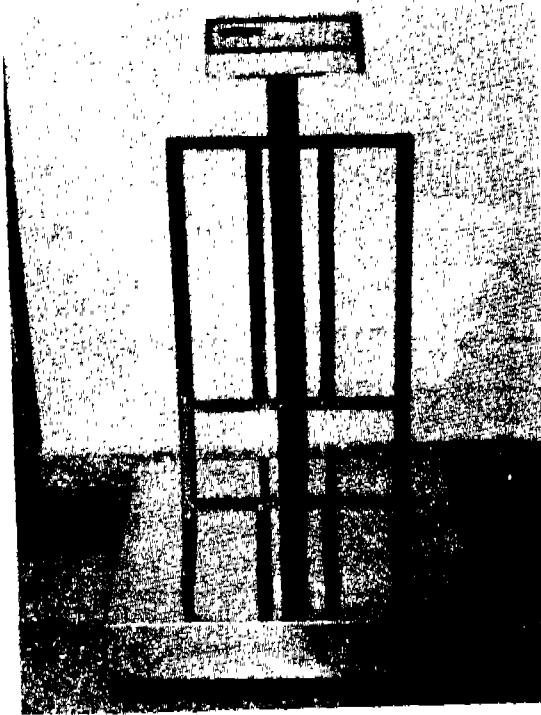
P. A. KRISHNAMOORTHY, Director, of Legal Metrology

नई दिल्ली, 10 नवम्बर, 2000

का. आ. 2489.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रसुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्योगों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और परिवर्तित परिस्थितियों में उपयुक्त सेवा करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शब्दियों का प्रयोग करते हुए, मैसर्स सेन्सर्स एण्ड सिस्टम्स 3, पंचदीप ले आउट, जय प्रकाश नगर, मागपुर 440025 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एल. डब्ल्यू. पी.” शुंखला के अंकीय सूचन सहित स्वतः सूचक अस्वाचालित तोलन उपकरण (प्लेटफार्म) के मॉडल का जिसके डांड का नाम “ई-वे” है (जिसे इसमें इसके पश्चात् “धाड़ल” कहा गया है) और जिसे अनुमोदन विहू आई. एन. डी./09/2000/121 दिया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

यह मॉडल (आकृति दी गई है) जिसकी अधिकतम क्षमता 200 कि.ग्रा. और न्यूनतम क्षमता 1 किलोग्राम है तोलन उपकरण है। सत्यापन मापमान अन्तराल (ई) मान 50 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलात्मक धरित आधेयतुलन प्रभाव है। भार ग्राही वर्गाकार है जिसकी भुजाएं 600 × 600 मि.मी. हैं। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपलब्धित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विष्वृत् पर कार्य करता है;



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शब्दियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शुंखला के उसी मेक यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 5 टन तक है और जिनका विनिर्माण उसी विनिर्माण द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की अधिकतम संख्या 10,000 से कम या उसके बराबर है (एन.  $\leq 10,000$ ) तथा जिसका “ई” मान  $1 \times 10$  के,  $2 \times 10$  के और  $5 \times 10$  के है, जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फ. सं. डब्ल्यू. एम. 21(44)/2000]

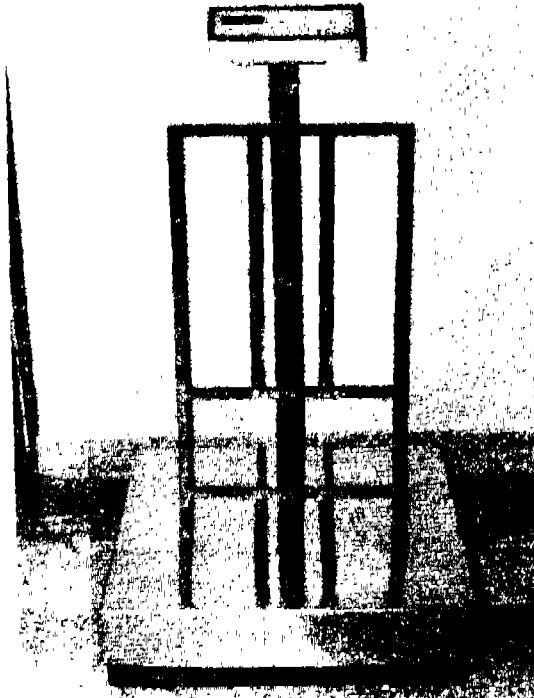
पी. ए. कृष्णनूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th November 2000

**S. O. 2489.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self indicating non-automatic (platform) weighing instrument with digital indication of 'LWP' series of Medium Accuracy (Accuracy class-II) and with brand name "EJ-weigh" (hereinafter referred to as the Model) manufactured by M/s Sensors and Systems, 3, Panchdeep Layout, Jainpaka's Nagar, Nagpur-440025 and which is assigned the approval mark IND/09/2000/121;

The said model (figure given) is a weighing instrument with a maximum capacity 200 kg and minimum capacity of 1 kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of square section of side 600 x 600 millimetre. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 volts, and 50-Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 5 tonnes with number of verification scale interval (n) less than or equal to 10,000 ( $n \leq 10,000$ ) and with the value of  $1 \times 10^k$ ,  $2 \times 10^k$  and  $5 \times 10^k$  1 being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM. 21,44)/2000]

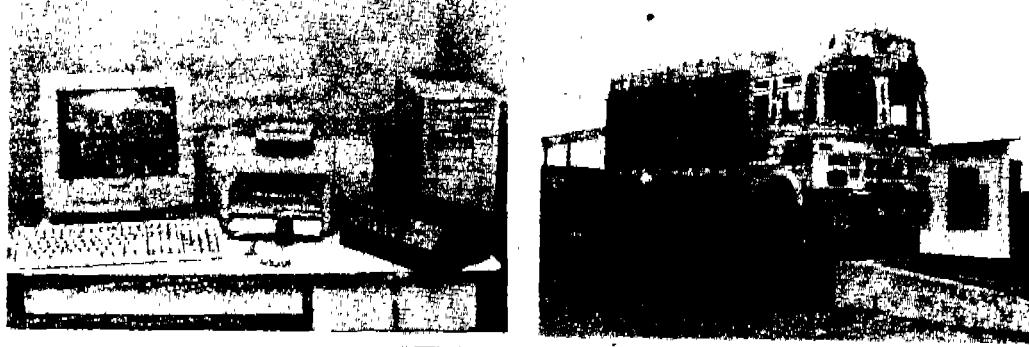
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 10 नवम्बर, 2000

का. आ. 2490.—केन्द्रीय सरकार का, यिहारा प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मांडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपलब्धों के अनुरूप हैं और इस बात की संभावना है कि संगतार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और परिवर्तित परिस्थितियों में उपयुक्त सेवा करता रहेगा;

अतः कर्त्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सेन्सर्स एण्ड सिस्टम्स 3, पचार्टीप नं आर्ट, जय प्रकाश पार, नागपूर 440025 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-II) वाले "ई. बी." शृंखला के अंकीय सूचन महित रूपतः मुनक अस्वाच्छान्ति तुलादौली (यहभार मैन्य उक्तार) के मॉडल का जिसके द्वांड का नाम "ई-वे" है (जिसे इसमें इसके पश्चात् "मॉडल" कहा गया है) और जिसे अनुमोदन निहस आई. प्र. दी./09/2000/122 दिया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति दी गई है) जिसकी अधिकतम क्षमता 30000 किंग्रा. और न्यूतम क्षमता के अंकक सूचन सहित 200 किलोग्राम है तोतन उपकरण है। सम्पादन मापमान अन्तराल (ई) मान 10 किलोग्राम है। इसमें एक आद्येतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित अस्पत्तन यथावत है। भार याही आयाकार है जिसकी भुजाएं 9 × 3 मीटर हैं। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 120 रोल्ट 1.50 हर्ड्यु प्रायायली धारा विद्युत प्रदाय पर कार्य करता है।



अौं, कर्त्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी मेक और कार्यपालन शृंखला वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 5 नन तक लोगी और जिनका विनिर्माण उसी विनिर्माण द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके अन्यापन मापमान अन्तराल (एन) की अधिकतम मंड्या 10,000 से कम या उसके बराबर है (एन. ₹10,000) तथा जिसका "ई" मान 1 × 10 के, 2 × 10 के और 5 × 10 के है, जिसमें भनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य है।

[फा. सं. झट्ट्यू. एम. 21(44)/2000]

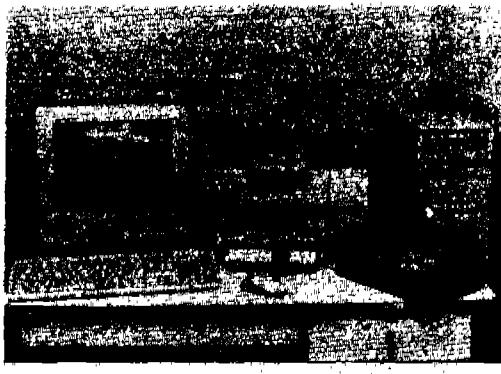
पी. ए. कृष्णपूर्ण, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th November, 2000

**S. O. 2490.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self indicating non-automatic (weigh bridge) (Multi load cell type) weighing instrument with digital indication of 'EWB' series of Medium Accuracy (Accuracy class-III) and with brand name "EI-weigh" (hereinafter referred to as the Model) manufactured by M/s Sensors and Systems, 3, Panchdeep layout, Jaiprakash Nagar, Nagpur-440025 and which is assigned the approval mark IND/09/2000/122;

The said model (figure given) is a weighing instrument with a maximum capacity of 30000 kg. and minimum capacity of 200kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section of side 9 x 3m milimetre. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 volts, and 50-Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity more than 5 tonne with number of verification scale internal (n) less than or equal to 10,000 ( $n \leq 10,000$ ) and with 'e' value of  $1 \times 10k$ ,  $2 \times 10k$ , and  $5 \times 10k$ , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. W.M.-21(44)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 10 नवम्बर, 2000

का. आ. 2491.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रसुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (१९७६ का ६०) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा करता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अटलांटा स्केल मैन्यूफैक्चरिंग कं., 806, आठबीं मंजिल, सहजानन्द रॉपिंग सेंटर, न्यू माधु पुरा मार्केट के नजदीक सहियाँग रोड, अहमदाबाद-३८०००४, द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले अस्वच्छालित, यांत्रिक तोलन उपकरण (सदृश्य प्रदर्शन सहित स्टील यार्ड प्रकार) के मॉडल का जिसके ब्रॉड का नाम “अटलांटा” है (जिसे इसमें इसके पश्चात् “माडल” कहा गया है) और जिसे अनुमोदन दिया आई. एन. डी./०९/२०००/१५७ समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल 15 टन की अधिकतम क्षमता और 100 कि. ग्रा. की न्यूनतम क्षमता का तोलन उपकरण है। सत्यापन मापन अन्तराल (ई) मान 5 किलोग्राम है। इसमें एक आधियतुलन युक्त है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधियतुलन प्रभाव है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यकरण वाले ऐसे उपकरण भी होंगे, जिनकी अधिकतम क्षमता 5 टन से अधिक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की अधिकतम संख्या 10,000 से कम या उसके बराबर है (एन. १०,०००) तथा जिनका “ई” मान  $1 \times 10$  के और  $5 \times 10$  के है, जहां के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू. एम. २१(८१)/२०००]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th November, 2000

S. O. 2491.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of non automatic mechanical weighing instrument (steel yard type with analogue display) of "Medium Accuracy" class (Accuracy class III) with brand name "Atlanta" (herein after referred to as the Model) manufactured by M/s Atlanta Scale Manufacturing Co., 896, 8th floor, Shajanand Shopping Centre, Near New Madhupura Market, Shahibaug Road, Ahmedabad-380004, and which is assigned the approval mark IND/09/2000/157;

The model is a weighing instrument with a maximum capacity of 15 tonnes and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 per cent subtractive retained tare effect.



Further, in exercise of the powers conferred by sub-section (12) of the said section the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne with number of verification scale division (n) less than or equal to 10,000 ( $n \leq 10,000$ ) and with 'e' value of  $1 \times 10k$ ,  $2 \times 10k$ , and  $5 \times 10k$ , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. W.M.-21(81)/2000]

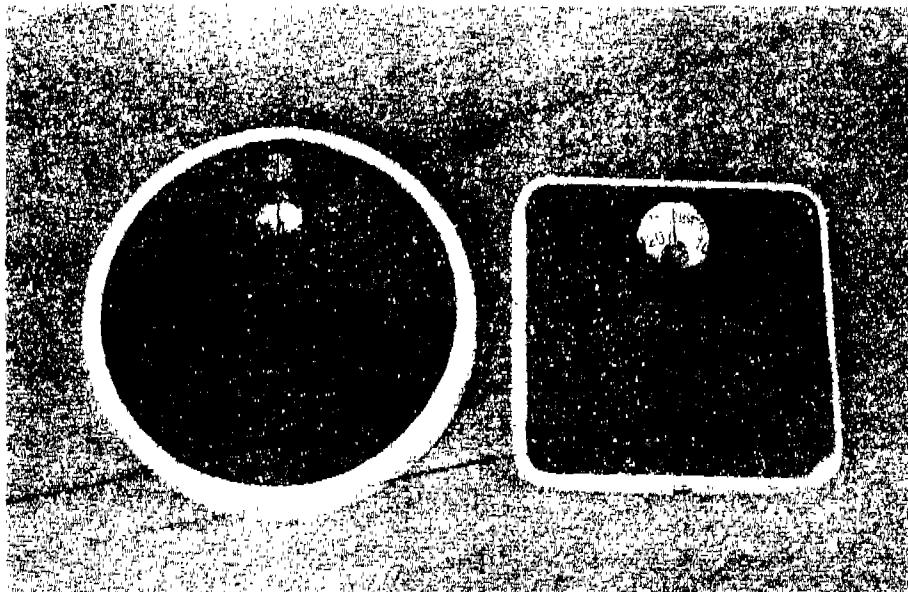
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 10 नवम्बर, 2000

का. आ. 2492.—केन्द्रीय सरकार का, विभिन्न प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप गानक (मॉडलों का अनुमोदन) नियम, 1987 के उपरोक्तों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और परिवर्तित परिस्थितियों में उपयुक्त मेंवा करता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम को धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स भारती स्केल्स, सी-107, नरायना औद्योगिक क्षेत्र फेस 1, नई दिल्ली-110028 द्वारा विभिन्न सामान्य यथार्थता वर्ग-III बाली यांत्रिक अस्याचालित, तोलन मशीन (स्नानगृह स्केल प्रकार का) के मॉडल का जिसके छांड का नाम “तुलिका” है (जिसे इसमें इसके पश्चात माडल कहा गया है) और जिसे अनुमोदन दिनह आई. एन. डी./09/2000/119 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल 125 कि.ग्रा.की अधिकतम भ्रमता के साथ सामान्य यथार्थता वर्ग (यथार्थता वर्ग III) का अस्याचालित तोलन उपकरण (स्नानगृह स्केल प्रकार) है इसका और सत्यापन स्कलमान अन्तराल (ई) मान 0.5 किलोग्राम है। न्यूनतम श्रमता 5 किया है।



[फ. सं. इन्स्यू एम. 21(87)/99]

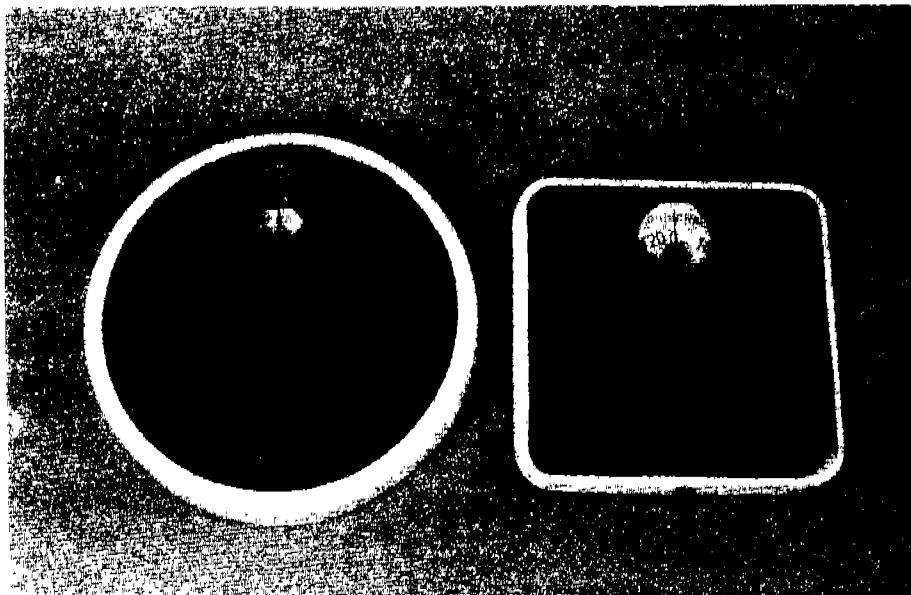
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th November, 2000

**S. O. 2492.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of model of mechanical non automatic weighing machine (bathroom scale type) with brand name "TULIKA" (herein referred to as the Model) belonging to ordinary accuracy class III manufactured by M/s Bharti Scales, C-107, Nariana Industrial, Phase-I, New Delhi-110028 and which is assigned the approval mark IND/09/2000/119;

The said model is a non-automatic weighing instrument (bathroom scale type) belonging to ordinary accuracy class (accuracy class III) with a maximum capacity 125 kg. and verification scale interval (e) is 0.5 kg. The minimum capacity is 5 kg..



[F. No. W.M.-21(87)/99]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 10 नवम्बर, 2000

का. आ. 2493.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (भीचे दी गई आकृति देखें) बाट और माप मालक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मालक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा।

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (3) के तीसरे परन्तु और उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भैससं समर्पण फैब्रिकेट्स लिमिटेड, सी-1/516/4, माकड़ सुरा इंडस्ट्रियल इस्टेट, बड़ीता-390010 द्वारा विभिन्न द्रव भराई मशीन के मॉडल (जिसे इसमें इसके पश्चात् मालक कहा गया है) का है और जिसे अनुमोदन विहू आई. एन. डी./09/2000/136 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल स्वाक्षरित द्रव भराई मशीन का है जिसकी अधिकतम क्षमता 1 लीटर और न्यूनतम क्षमता 250 मिली लीटर है। इस मॉडल के अधीन 5 मिलीलीटर से 5000 मिली लीटर तक की अच्युत्रियां हैं।

यह 230 बोल्ट और 50 हर्टज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इसका उपयोग सहज रूप से बहने वाले द्रव, श्यान द्रव विभिन्न प्रकार की कार्यिकाओं विभिन्न प्रकार के खूबी के द्रव को भरने के लिए किया जाता है।



[फ्र. सं. इल्लू, एम. 21(140)/2000]

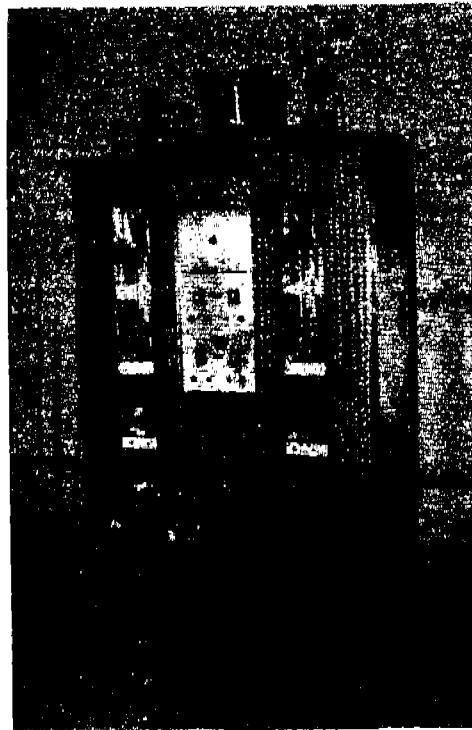
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th November, 2000

**S. O. 2493.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model in respect of Automatic Liquid filling machine (herein referred to as model) manufactured by M/s. Samarpan Fabricators Ltd. C-1/516/4, At Makarpura Industrial Estate, Baroda-390010, and which is assigned the approval of Model mark IND/09/2000/136:

The model is a Automatic Liquid filling machine with a capacity maximum capacity of 1 litre and minimum 250 ml. Other ranges to be covered under this model 5ml to 5000 ml. It operates on 220 voltes and frequency 50 hertz, alternate current power supply. It is used for filling free flowing liquids viscous liquids different kinds of granules, different liquids of powders.



[F. No. W.M.-21(140)/2000]

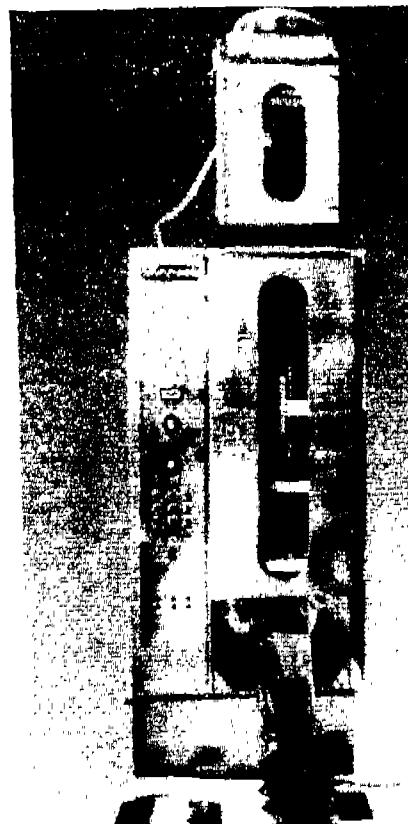
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 10 नवम्बर, 2000

का. आ. 2494.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयोग सेवा प्रदान करता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स आर. आर. जे. इंजीनियरिंग इण्डस्ट्रीज प्रा. लि. यूनिट सं. 22 आई डी प. माल्लापुर इण्डस्ट्रियल एस्टेट, हैदराबाद-500076 द्वारा विनिर्दित “धी सी 10000” प्रकार की स्वचालित तोलन मशीन (कप पूरक) के मॉडल का जिसके ब्रांड का नाम विसर्पक है (जिसमें इसके पश्चात् “मॉडल” कहा गया है) और जिसे अनुमोदन निहन आई. एन. डी./09/2000/155 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल एक स्वचालित तोलन मशीन (कप पूरक) है यह स्थिर शीर्ष के अधीन भार पोषण के सिद्धान्त पर काम करती है। वितरण माश्रा कम मापन के परिमाण पर निर्भर करती है। मशीन को 50 ग्राम और 5 किं.ग्रा. के बीच कोई रेज देने के लिए स्थिर किया जा सकता है। मशीन को दाल, चावल, चीनी और सामान्य नमक भरने के लिए डिजायन किया गया है।



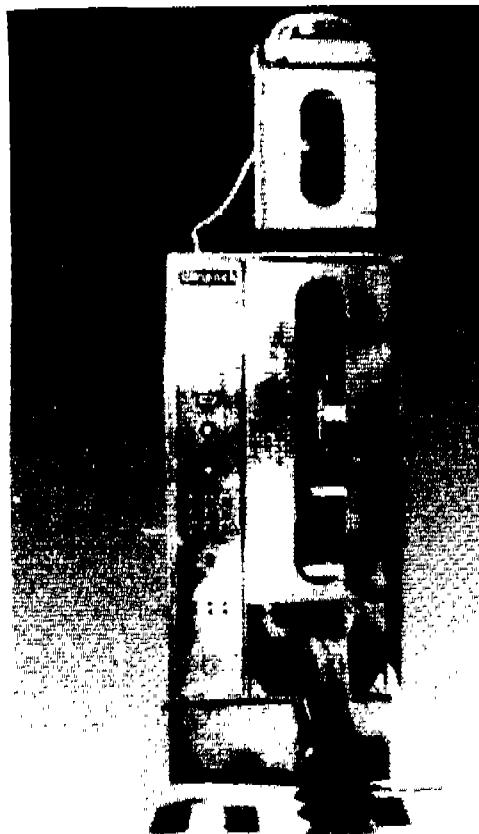
[फ. सं. डब्ल्यू. एम. 21(28)/99]  
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th November, 2000

**S. O. 2494.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of model of automatic weighing machine (cup filler) (herein after referred to as the Model) of "VC 10000" type with brand name "WINPACK" manufactured by M/s RRJ Engineering Industries Pvt. Ltd., Unit No. 22, IDA Mallapur Industrial Estate, Hyderabad-500 076 and which is assigned the approval mark IND/09/2000/155;

The model is an automatic weighing machine (cup filler). It works on the principle of gravity feed under constant head. The quantity dispensed depends on the volume of cup measure. The machine can be adjusted to deliver any range between 50g and 5 kg. The machine is designed to fill pulses, rice, sugar and common salt.



[F. No. W.M.-21(28)/99]

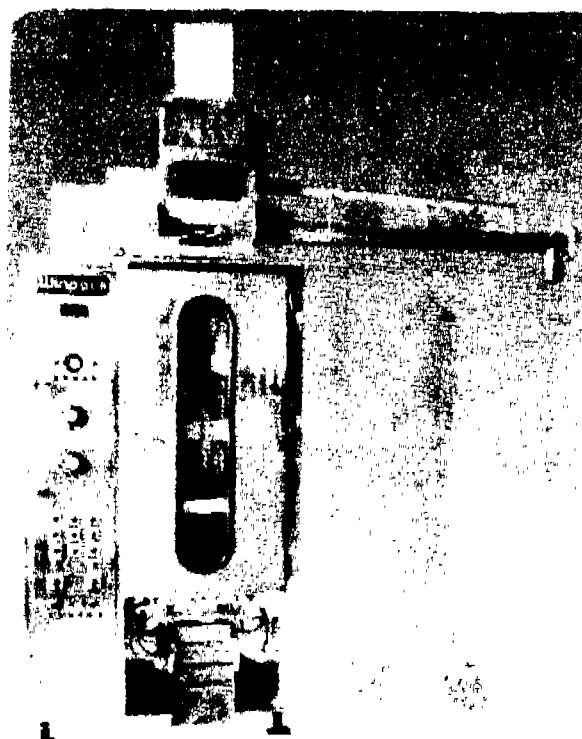
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 10 नवम्बर, 2000

का. आ. 2495.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आङूली देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्योगों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिवर्तियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स आर. आर. जे. इंजीनियरिंग इण्डस्ट्रीज प्रा. लि. यूनिट सं. 22 आई डी ए माल्टापुर इण्डस्ट्रियल ऐस्टेट, हैदराबाद-500076 द्वारा विभिन्न "बी ए 10000" प्रकार की स्वचालित तोलन मशीन (बरमा पूरक) के मॉडल का जिसके ब्रांड का नाम "विनैक" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन विहन आई. एम. डी./09/2000/156 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल एक स्वचालित तोलन मशीन (बरमा पूरक) है। यह स्थिर शीर्ष के अधीन भार पोषण के सिद्धान्त पर काम करती है। तरल वितरण की मात्रा बहाव दर और समय का उत्पाद है। मशीन को 50 ग्राम और 5 कि.ग्रा. के बीच कोई रेज देने के लिए स्थिर किया जा सकता है। मशीन को आदा, मैदा, बेसन और क्रीम, पेस्ट आदि जैसे अद्भुत ठोस पदार्थों को भरने के लिए छिजायन किया गया है।



[पर. सं. इव्वा एम. 21(28)/99]

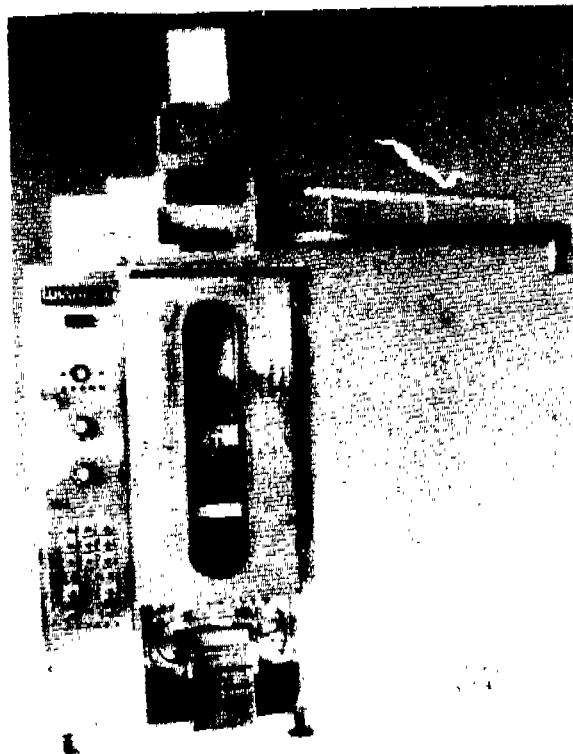
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th November, 2000

**S. O. 2495.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of model of automatic weighing machine (Auger filler) (hereinafter referred to as the Model) of "VA 10000" type with brand name "WINPACK" manufactured by M/s RRJ Engineering Industries Pvt. Ltd., Unit No. 22, IDA Mallapur Industrial Estate, Hyderabad-500 076 and which is assigned the approval mark IND/09/2000/156;

The model is an automatic weighing machine (Auger filler) It works on the principle of gravity feed under constant head. The quantity of liquid dispensed is a product of flow rate and time. The machine can be adjusted to deliver any range between 50g and 5 kg. The machine is designed to fill Atta, maida, besan, and semi-solids like cream, paste etc.



[E. No. W.M.-21(28)/99]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

## पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 14 नवम्बर, 2000

का. आ. 2496.—केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या, का० आ० 217, तारीख 20 जनवरी 1999, का० आ० 2721, तारीख 17 सितम्बर, 1999, का० आ० 3613, तारीख 14 दिसम्बर, 1999, का० आ० 700, तारीख 15 मार्च, 2000 और का० आ० 1709, संख्या 24 जुलाई, 2000 द्वारा, उन अधिसूचनाओं से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, केरल राज्य में भारत पेट्रोलियम कारपोरेशन लिमिटेड के इसिमपानम् संस्थापन से तमिलनाडु राज्य में करुर तक मोटर स्प्रिट, उच्च कोटि किरोसीन सेल और उच्च वैग छोजल के परिवहन के प्रयोजन के लिए मैसर्स पेट्रोनेट सी.सी. के, लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचनाओं की प्रतियां जनता को क्रमशः तारीख 12 फरवरी, 1999, तारीख 4 अक्टूबर, 1999, तारीख 24 दिसम्बर, 1999, तारीख 01 अप्रैल, 2000 और तारीख 09 अगस्त, 2000 को उपलब्ध करा दी गई थीं ;

और सक्रम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि केन्द्रीय सरकार, उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमियों में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाए सभी विल्सगमों से मुक्त पेट्रोनेट सी. सी. के, लिमिटेड में निहित होगा ।

## अनुसूची

राज्य - केरल

जिला - त्रिशूर

तालुका - मुकुन्दपुरम

गाँव (1)	सर्वेक्षण संख्या (2)	क्षेत्र		
		हेक्टर (3)	आरे (4)	वर्गमीटर (5)
1) कल्लूर थेकुमुरी	818	0	01	38
2) मुरिनगुर थेकुमुरी	362/5	0	00	53
3) कल्लूर वडाकुमुरी	96	0	00	23
	1194/1	0	00	19
	1194/2	0	00	28
4) पिल्लियारे चालकुटी	210	0	03	27
	219	0	00	69
	255	0	00	21
	272	0	07	06
	284	0	10	44
5) किषक्के चालकुटी	353/2	0	04	15
6) पेराम्परा	235/5	0	01	20
	236/2	0	00	35
	239/5	0	00	57
	294/5	0	00	35
	432	0	01	38
	434/1	0	02	56
7) आलूर	169/3	0	01	41
	170/3	0	05	81
	170/4	0	03	53
	249/2	0	01	26
	710	0	06	89
8) कोटकरा	931/2	0	01	20
	935/1	0	02	48
	1273/2	0	00	87
	1457/2	0	00	57
	1466/2	0	01	04
	1471/3	0	04	08
	1474/1	0	00	18
9) नेल्लायी	520/1	0	01	67
	675/1	0	00	75
	676/1	0	02	75
10) परप्पूक्करा	52/1	0	00	91
	57/1	0	03	05
	58	0	00	23
	59/1	0	02	80
	66/2	0	00	21
	68/1	0	00	31

(1)	(2)	(3)	(4)	(5)
	82/1	0	00	36
	813/2	0	00	31
	816	0	01	50
	818/2	0	01	19
	823/3	0	01	63
	825/1	0	00	12
	826/2	0	00	28
	839	0	00	13
	847/1	0	01	54
	848/1	0	04	96
	848/3	0	00	32
	867	0	01	13
	1014/1	0	01	72
	1014/2	0	01	02
	1057	0	03	13
	1059/1	0	02	76
	1066/2	0	01	45
11) तोरव	240/3	0	00	76
12) नैमनिकरा	62	0	06	03
	65	0	01	14
	66/2	0	05	15
	66/3	0	00	06
	67	0	06	36
	68	0	00	24
	173	0	00	85
	332	0	08	45
	342/2	0	02	70
	444/1	0	00	35
	444/3	0	04	20
	1050	0	00	15
13) तिक्कूर	331	0	14	20
	385/1	0	00	75
	385/5	0	00	60
	396/1	0	03	50
	399/3	0	01	40
तालुका - तिशूर				
14) मरताकरा	155	0	03	17
	177	0	01	39
	193	0	01	09
	194	0	01	84
	222	0	03	09
	228/5	0	01	04
	258	0	02	14
	259/1	0	05	76
	752	0	02	98
	759	0	01	89
	902	0	02	10
	982	0	01	60

(1)	(2)	(3)	(4)	(5)
15) केनूर	426/4	0	06	32
	414/2	0	00	70
	406/2	0	01	95
	404	0	01	65
	304	0	03	25
	184/1	0	02	30
	128/1	0	07	50
	186	0	06	70
	131/1	0	00	55
	120/2	0	00	35
	118/5	0	00	40
	116	0	00	98
	115/1	0	02	53
	114/2	0	00	06
16) कोषुकुल्ली	255	0	02	34
	244/3	0	00	60
	277/2	0	08	29
	299/2	0	01	48
17) मुलयम	492	0	00	55
	218/1	0	00	35
	216/2	0	04	16
18) पाणन्वेरी	173/1	0	00	25
(खंड सं - 77)	167/1	0	01	41
	146/4	0	00	72
	148/4	0	00	08
	148/7	0	00	21
	221	0	01	72
	222/8	0	00	68
	222/10	0	01	63
	223/1	0	11	34
	224/17	0	00	10
	224/18	0	00	50
19) पाणन्वेरी	383/2	0	01	70
(खंड सं - 80)	382/1	0	00	95
	382/2	0	00	30
20) पाणन्वेरी	30/1	0	01	25
(खंड सं - 81)	51/1	0	00	90
	57/6	0	34	10
	57/7	0	01	25
	61/1	0	02	40

गाँव	सर्वेक्षण संख्या	पुनः सर्वेक्षण संख्या (न. अस्तित्व)	हेक्टर	क्षेत्र आरे	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)
21) पीच्छी (खंड सं 79)	1832, 1834	205	0	02	14
	1075, 1076				
	1098	114	0	03	14
	716/1, 715,	388/3	0	01	47
	1888/1				
	2392/3,	396/2	0	00	42
	2391/1				
	2811/1, 2810	206/5	0	00	40
	1834/6				
	1831/2	197	0	01	46
	1090	112	0	05	70
	2392/1	398/2	0	00	14
	715, 716/1	399/7	0	00	28
	2392/1				
	725/1, 2	375/1	0	00	29
	2046, 2049				
	627/4	477/3	0	06	70
	2366, 2367	483/4	0	02	20
	563/3,	513/1	0	05	50
	562/1, 2				
	557/1	514/6	0	01	40
	2158/1, 4	209	0	04	74
	2739				

[सं. आर.-31015/13/98-ओ आर-II]  
हरीश कमार, अधर सचिव

## Ministry of Petroleum and Natural Gas

New Delhi, the 14th November, 2000

S. O. 2496.— Whereas by the notifications of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 217 dated 20th January 1999, S.O. 2721 dated the 17th September 1999, S.O. 3613 dated 14th December 1999, S.O. 700 dated 15th March 2000 and S.O. 1709 dated the 24th July 2000 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands, specified in the Schedules appended to those notifications for the purpose of laying pipelines for the transport of motor spirit, superior kerosene oil and high speed diesel from the Irimpanam installation of Bharat Petroleum Corporation Limited, Irimpanam, Kochi in the State of Kerala to Karur in the State of Tamil Nadu by M/s Petronet CCK Limited ;

And whereas, copies of said gazette notifications were made available to the public on 12th February 1999, 4th October 1999, 24th December 1999, 1st April 2000 and 9th August 2000 respectively :

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government.

And further whereas, the Central Government has, after considering the said report, decided to acquire the Right of User in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the Right of User in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines :

And, further, in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said land shall instead of vesting in the Central Government vests on this date of the publication of this declaration, in the Petronet CCK Limited, free from all encumbrances.

## Schedule

State : Kerala

District : Thrissur

Taluk : Mukundapuram

Village	Survey Numbers	Area		
		Hectares	Ares	Sq.Mtrs.
(1)	(2)	(3)	(4)	(5)
1) Kallur Thekkummuri	818	0	01	38
2) Muringur Thekkummuri	362/5	0	00	53
3) Kallur Vadakkummuri	96 1194/1 1194/2	0 0 0	00 00 00	23 19 28
4) Padinjare Chalakkudy	210 219 255 272 284	0 0 0 0 0	03 00 00 07 10	27 69 21 06 44
5) Kizhakke Chalakkudy	353/2	0	04	15
6) Perambra	235/5 236/2 239/5 294/5 432 434/1	0 0 0 0 0 0	01 00 00 00 01 02	20 35 57 35 38 56
7) Aloor	169/3 170/3 170/4 249/2 710	0 0 0 0 0	01 05 03 01 06	41 81 53 26 89
8) Kodakara	931/2 935/1 1273/2 1457/2 1466/2 1471/3 1474/1	0 0 0 0 0 0 0	01 02 00 00 01 04 00	20 48 87 57 04 08 18
9) Nellayi	520/1 675/1 676/1	0 0 0	01 00 02	67 75 75
10) Parappukkara	52/1 57/1 58 59/1 66/2 68/1	0 0 0 0 0 0	00 03 00 02 00 00	91 05 23 80 21 31

(1)	(2)	(3)	(4)	(5)
	82/1	0	00	36
	813/2	0	00	31
	816	0	01	50
	818/2	0	01	19
	823/3	0	01	63
	825/1	0	00	12
	826/2	0	00	28
	839	0	00	13
	847/1	0	01	54
	848/1	0	04	96
	848/3	0	00	32
	867	0	01	13
	1014/1	0	01	72
	1014/2	0	01	02
	1057	0	03	13
	1059/1	0	02	76
	1066/2	0	01	45
11) Thorava	240/3	0	00	76
12) Nenmanikkara	62	0	06	03
	65	0	21	14
	66/2	0	05	15
	66/3	0	00	06
	67	0	06	36
	68	0	00	24
	173	0	00	85
	332	0	08	45
	342/2	0	02	70
	444/1	0	00	35
	444/3	0	04	20
	1050	0	00	15
13) Thrikkur	331	0	14	20
	385/1	0	00	75
	385/5	0	00	60
	396/1	0	03	50
	399/3	0	01	40
Taluk : Thrissur				
14) Marathakkara	155	0	03	17
	177	0	01	39
	193	0	01	09
	194	0	01	84
	222	0	03	09
	228/5	0	01	04
	258	0	02	14
	259/1	0	05	76
	752	0	02	98
	759	0	01	89
	902	0	02	10
	982	0	01	60

(1)	(2)	(3)	(4)	(5)
15) Kayinoor	426/4	0	06	32
	414/2	0	00	70
	406/2	0	01	95
	404	0	01	65
	304	0	03	25
	184/1	0	02	30
	128/1	0	07	50
	186	0	06	70
	131/1	0	00	55
	120/2	0	00	35
	118/5	0	00	40
	116	0	00	98
	115/1	0	02	53
	114/2	0	00	06
16) Kozhukkully	255	0	02	34
	244/3	0	00	60
	277/2	0	08	29
	299/2	0	01	48
17) Mulayam	492	0	00	55
	218/1	0	00	35
	216/2	0	04	16
18) Pananchery (Block No.77)	173/1	0	00	25
	167/1	0	01	41
	146/4	0	00	72
	148/4	0	00	08
	148/7	0	00	21
	221	0	01	72
	222/8	0	00	68
	222/10	0	01	63
	223/1	0	11	34
	224/17	0	00	10
	224/18	0	00	50
19) Pananchery (Block No.80)	383/2	0	01	70
	382/1	0	00	95
	382/2	0	00	30
20) Pananchery (Block No.81)	30/1	0	01	25
	51/1	0	00	90
	57/6	0	34	10
	57/7	0	01	25
	61/1	0	02	40

Village	Survey Numbers	Re-survey Numbers (not final)	Area		
			Hectares	Ares	Sq.Mtrs.
(1)	(2)	(3)	(4)	(5)	(6)
21) Peechi (Block No.79)	1832, 1834 1075, 1076 1098 716/1, 715, 1888/1 2392/3, 2391/1 2811/1, 2810 1834/6 1831/2 1090 2392/1 715, 716/1 2392/1 725/1, 2 2046, 2049 627/4 2366, 2367 563/3, 562/1, 2 557/1 2158/1, 4 2739	205 114 388/3 396/2 0 206/5 197 112 398/2 399/7 375/1 477/3 483/4 513/1 514/6 209	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	02 03 01 00 00 01 05 00 00 00 00 06 02 05 01 04	14 14 47 42 40 46 70 14 28 29 70 20 50 40 74

[No.-31015/13/98 OR II]  
HARISH KUMAR, Under Secy.

## श्रम मंत्रालय

ताई दिल्ली, 23 अक्टूबर, 2000

का.आ. 2497.—श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.सी.एस. के प्रबन्धसत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रौद्धोगिक विवाद में श्रौद्धोगिक अधिकरण गोदावरीखनी के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-10-2000 को प्राप्त हुआ था।

[न. एल-22025/23/2000-आई. आर. (सी-II)]

एन. पी. केशवन, ईस्क अधिकारी

## MINISTRY OF LABOUR

New Delhi, the 23rd October, 2000

S.O. 2497.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal/Labour Court, Godavarkhani as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 23-10-2000.

[No. L-22025/23/2000-IR(C-II)]

N. P. KESAVAN, Desk Officer

## ANNEXURE

## BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL CUM-LABOUR COURT, GODAVARIKHANI

## PRESENT :

Sri P. Gurunadha Rao, B.Sc., B.L., Chairman-cum- Presiding Officer.

Tuesday, the 12th day of September, 2000

INDUSTRIAL DISPUTE NO. 15 OF 1999

## BETWEEN

Kukka Gouraiah, Ex-Badli Filler,  
Emp. Code No. 0985593, S/o Mallah,  
Aged 25 yrs, C/o Sri M. Chakrapani,  
Advocate, Gandhinagar, Near IFTU Office,  
P.O. Godavarkhani, Distt. Karimnagar .. Petitioner.

## AND

1. The General Manager,  
Singareni Collieries Co. Ltd.,  
Ramagundam Division No. 6,  
P.O. Godavarkhani,  
Distt. Karimnagar,
2. The Superintendent of Mines,  
GDK. No. 6 Incline,  
P.O. Godavarkhani, Distt. Karimnagar .. Respondents.

This petition coming before me for final hearing in the presence of Sri M. Chakrapani, Advocate for the petitioner and of Sri C.S.N. Reddy, Advocate for the respondents and having stood over for consideration till this date, the court passed the following:—

## AWARD

1. This is a petition filed U/s. 2-A(2) of the Industrial Disputes Act, 1947, as amended by A.P. Amendment Act, 1987.

Facts of the case briefly are as follows :—

The petitioner was appointed as Badli-Filler on 10-3-95. On 21-2-96, he was removed from the service on the ground of receiving adverse reports from the police.

Respondents filed counter stating that the petitioner had put up only 51 musters in the year, 1995 and 7 musters in the year, 1996. He was dismissed from the service as per the terms and conditions of the appointment. The Superintendent of Police, Karimnagar after the due verification informed that the petitioner was involved in Crime No. 198/95 U/s. 108 Cr. P.C.

3. Ex. M-1 to Ex. M-3 are marked.

4. Heard both sides.

5. The point for consideration is whether the order of removal of the petitioner from the service without enquiry and without giving opportunity to the petitioner to defend himself can be justified.

6. POINT :—Counsel for the respondents argued that the petitioner did not put in 190 days of service and therefore, enquiry was not necessary for removing him from the service on the ground of adverse reports against the petitioner.

Counsel for the respondents cited a decision reported in K. Rajasekhar Vs. Singareni Collieries Company Limited in Writ Appeal No. 28/2000, dated 1-3-2000 on the file of the High Court of Andhra Pradesh.

In the above decision, a badli-filler (workman) was convicted for the offence U/s. 380 and 457 I.P.C. He was dismissed from the service.

This decision has no application to the present case because the present petitioner was involved for the offence U/s. 108 Cr. P.C. It does not involve moral turpitude.

7. Counsel for the petitioner cited a decision reported in D. Venkata Narasiah Vs. Singareni Collieries Company Limited 1995(1) ALR page No. 230.

In the above decision, a badli-filler was removed from the service on the ground of adverse police report. It was not concerned with any offence and this decision has no application to the present case.

8. Ex. M-1 is order dated 6-3-95. It shows that the petitioner was appointed on compassionate grounds.

Ex. M-2 is report of the Superintendent of Police, dated 10-1-1996. It shows that the petitioner was an active worker of Siksha, a frontal organisation of CPIML PW Group. The petitioner was involved in Crime No. 09/95 U/s. 108 Cr. P.C. He was arrested for raising pro-extremists and anti-government slogans; and he was bound over to keep good behaviour for a period of six months.

This report cannot be a ground for removing the petitioner from the service. The petitioner was not given opportunity to defend himself against the report of the police.

It might be true that the petitioner was arrested for raising pro-extremists and anti-government slogans. If this is the disqualification, the result would be very dangerous.

9. The petitioner was appointed on compassionate ground. If the respondents want to remove him from the service on the ground of police report, it would be desirable to give opportunity to the petitioner to defend himself. Even if the petitioner was arrested for raising pro-extremists and anti-government slogans, it cannot be a ground for removing the petitioner from the service.

I therefore, consider that the order of removal of the petitioner from the service cannot be justified. Hence, I answer the point accordingly.

The petitioner had worked for 58 days prior to his removal. Therefore, he is not entitled to back-wages.

In the result, this petition is allowed. The order of removal of the petitioner from the service is set-aside. The petitioner shall be reinstated into service within one month from the date of publication of the Award without back-wages since the petitioner filed this petition two years, ten months after his removal and worked for fifty eight days only.

Each party do bear their own costs.

Typed to my dictation, corrected and pronounced by me in the open court on this, 12th day of September, 2000.

P. GURUNADHA RAO, Chairman-cum-Presiding Officer  
APPENDIX OF EVIDENCE

## Witnesses-Examined

For workman:— **—NIL—** For Management:— **—NIL—**

## EXHIBITS

For Workman:— **—NIL—**

For Management:—

Ex. M-1 dt. 6-3-95 Appointment order.  
Ex. M-2 dt. 10-1-96 Letter addressed to the General Manager, Ramagundam Area-I by Superintendent of Police, Karimnagar.  
Ex. M-3 dt. 16/21-2-96 Disempatement letter of petitioner.

नई दिल्ली, 23 अक्टूबर, 2000

का. आ. 2498—श्रीदीगिक विवाद अधिनियम, 19-7 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी. एल. के प्रबन्धतान्त्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्विष्ट श्रीदीगिक विवाद में श्रीदीगिक अधिकरण गोदावरीखनी के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-10-2000 को प्राप्त हुआ था।

[स. एस-22025/23/2000-आई. आर. (सी-II)]  
एन. पी. केशवन, डैस्क अधिकारी

New Delhi, the 23rd October, 2000

S.O. 2498.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal/Labour Court, Godavarikhani as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 23-10-2000.

[No. L-22025/23/2000-JR(C-II)]  
N. P. KESAVAN, Desk Officer

## ANNEXURE

BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL—  
CUM-LABOUR COURT, GODAVARIKHANI

PRESENT :

Sri P. Gurunadha Rao, B Sc., B.L., Chairman-cum-Presiding Officer.

Tuesday, the 12th day of September, 2000

INDUSTRIAL DISPUTE NO. 31 OF 1999

## BETWEEN

Ch. Madhava Rao, S/o Bucha Rao,  
Aged 32 yrs., OCC : Ex-Coal Filler,  
R/o. C/o D. Linga Rao, Post : Ganpur,  
District Warangal. . . . . Petitioner

## AND

1. Singareni Collieries Co. Ltd.,  
Represented by its General Manager,  
RG-I Area, Godavarikhani,  
Karimnagar Distt.  
2. The Superintendent of Mines,  
GDK. No. 3 Incline,  
Singareni Collieries Co. Ltd.,  
Godavarikhani, Karimnagar Dist. . . . . Respondents.

This petition coming before me for final hearing in the presence of Sri K. Sudhakar Reddy, Advocate for the petitioner and of Sri C.S.N. Reddy, Advocate for the respondents and having stood over for consideration till this date, the court passed for following:—

## AWARD

1. This is a petition filed U/s. 2-A(2) of the Industrial Disputes Act, 1947, as amended by A.P., Amendment Act, 1987.

Facts of the case briefly are as follows:—

The petitioner was appointed as floating badli-filler on 5-3-88 and after six months, he was designated as badli-filler. In January, 1996, he was promoted as coal-filler. He was absent from duty for nearly two months due to sickness. Charge-sheet was issued on 6-2-97. Domestic enquiry was conducted and he was dismissed from the service on 26-10-97.

2. Respondent filed counter stating that the petitioner did not submit any document to show that he was sick. Enquiry was conducted in a fair manner. There was no irregularity in passing the dismissal order.

3. Ex. M-1 to Ex. M-16 are marked.

4. Heard both sides.

5. The point for consideration is whether the enquiry conducted by the respondent is valid, if so, whether the punishment of removal of the petitioner from the service is in proportion to the charge.

6. POINT : Ex. M-1 is charge-sheet. The petitioner was absent from duty without leave, sick or permission for four days in January, 1996, 15 days in February, 1996, 18 days in March, 1996, 16 days in April, 1996, 29 days in May, 1996, 29 days in June, 1996, 31 days in July, 1996, 19 days in August, 1996, 29 days in September, 1996, 19 days in October, 1996, 30 days in November, 1996 and 31 days in December, 1996.

Ex. M-3 to Ex. M-10 are enquiry notices.

Ex. M-11 is returned cover.

Ex. M-12 is enquiry report. It shows that the petitioner participated in the enquiry and admitted the charge.

Ex. M-14 is show-cause notice.

Ex. M-15 is dismissal order dt. 16-10-97.

7. There is no irregularity or illegality in conducting enquiry against the petitioner. The petitioner was absent from duty for 270 days in the year, 1996.

The petitioner was appointed on 5-3-88. He worked for seven years in the respondent company. He deserves punishment for his absence from duty, but not dismissal from the service.

I therefore, consider that the punishment of dismissal of the petitioner from the service is not in proportion to the charge. The enquiry conducted against the petitioner is valid. Hence, I answer the point accordingly.

In the result, this petition is partly-allowed. The petitioner shall be reinstated into service within one month from the date of publication of the Award without back-wages and without continuity of service. The order of dismissal of the petitioner from the service is set-aside. Each party do bear their own costs.

Typed to my dictation, corrected and pronounced by me in the open court on this, the 12th day of September, 2000.

P. GURUNADHA RAO, Chairman-cum-Presiding Officer

## APPENDIX OF EVIDENCE

## Witnesses-examined

For Workman:—

—NIL—

For Management:—

—NIL—

## EXHIBITS

For workman:—

—NIL—

For Management:—

Ex. M-1 dt. 6-2-97 Charge-sheet.  
 Ex. M-2 dt. 7-7-97 Enquiry Officer nomination letter (Xerox copy).  
 Ex. M-3 dt. 3-3-97 Enquiry notice.  
 Ex. M-4 dt. 15-3-97 Enquiry notice.  
 Ex. M-5 dt. 29-3-97 Enquiry notice.  
 Ex. M-6 dt. 10-4-97 Enquiry Notice.  
 Ex. M-7 dt. 14-5-97 Enquiry Notice.  
 Ex. M-8 dt. 11-6-97 Enquiry Notice.  
 Ex. M-9 dt. 7-9-97 Enquiry Notice.  
 Ex. M-10 dt. 23-7-97 Enquiry Notice.  
 Ex. M-11 dt. 30-7-97 Postal authorities undelivered returned cover with ack.  
 Ex. M-12 dt. 10-9-97 Enquiry proceedings.  
 Ex. M-13 dt. 11-9-97 Enquiry report.  
 Ex. M-14 dt. 30-9-97/5-10-97 Letter addressed to the petitioner by the General Manager, RG-E.  
 Ex. M-15 dt. 16-10-97/17-10-97 Dismissal letter of petitioner.  
 Ex. M-16 dt. 11-11-97/20-12-97 Mercy appeal of the petitioner.

नई दिल्ली, 23 अक्टूबर, 2000

का. आ. 2499.—ग्रौंडोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी. एल. के प्रबन्धतत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्विष्ट ग्रौंडोगिक विवाद में ग्रौंडोगिक अधिकारण गोदावरीखनी के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-10-2000 को प्राप्त हुआ था।

[स. एल-22025/23/2000-आई. आर. (सी-II)]  
 एन. पी. केशवन, डैस्क अधिकारी

New Delhi, the 23rd October, 2000

S.O. 2499.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of Industrial Tribunal/Labour Court, Godavarikhani as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 23-10-2000.

[No: L-22025/23/2000-IR(C-II)]  
 N. P. KESAVAN, Desk Officer

## ANNEXURE

BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, GODAVARIKHANI

PRESENT:

Sri P. Gurunadha Rao, B.Sc., B.L.,  
 Chairman-cum-Presiding Officer.

Tuesday, the 12th day of September, 2000

Industrial Dispute No. 49 of 1999

## BETWEEN

Elpula Rayamallu,  
 S/o Chandraiah,  
 Aged about 43 yrs..  
 Occ. : Ex-employee,  
 R/o Bonkur Post,  
 Elagamatla,  
 Taluq : Jagityal,  
 Dist. Karimnagar.

Petitioner

## AND

1. Colliery Manager,  
 VI Incline,  
 Godavarikhani.
2. General Manager,  
 Singareni Collieries Co. Ltd.,  
 Godavarikhani.
3. Managing Director,  
 Singareni Collieries Ltd.,  
 Kothagudem,  
 Dist. Khammam.

. Respondents

This petition coming before me for final hearing in the presence of Sri S. Bhagavantha Rao, Advocate for the petitioner and of Sri C. S. N. Reddy, Advocate for the petitioner and having stood over for consideration till this date, the court passed the following:—

## AWARD

1. This is a petition filed U/s 2-A(2) of the Industrial Disputes Act, 1947, as amended by A.P. Amendment Act, 1987.

Facts of the case briefly are as follows:—

The petitioner was appointed as coal-filler in the respondent company in December, 1973. He was promoted as coal-cutter. The petitioner fell sick from 1-1-97 to 31-12-97. He underwent treatment in the respondent company hospital. He submitted leave letter. But charge-sheet was issued on 5-3-98. Domestic enquiry was conducted and he was removed from the service on 15-9-98.

2. Respondent filed counter stating that the petitioner was absent from duty from 1-1-97 to 31-12-97. Charge-sheet was issued on 5-3-98. Explanation submitted by the petitioner was not satisfactory. Enquiry was conducted and he was dismissed from the service. The petitioner participated in the enquiry and he was given full opportunity to defend himself.

3. Ex. M-1 to Ex. M-13 are marked.

4. Heard both sides.

5. The point for consideration is whether the punishment of removal of the petitioner from the service is in proportion to the charge.

6. POINT:—Ex. M-1 is charge-sheet.

Ex. M-2 is representation of the petitioner dt. 17-3-98. It shows that he was not doing well.

Ex. M-3 is medical certificate issued on 17-3-98. It shows that the petitioner was suffering from Phobic anxiety neurosis from 31-12-96.

Ex. M-4 is medical report of the petitioner.

It clearly appears that the petitioner produced medical certificate on or after 17-3-98, but not before.

The charge-sheet was issued on 5-3-98. Therefore, it can be said that the petitioner produced a false certificate to defend him in the enquiry.

7. Ex. M-5 is letter dt. 25-4-98 addressed to the petitioner stating that leave cannot be granted. He was directed to report to the Medical Superintendent, Area Hospital, Singareni Collieries Co. Ltd., Godavarikhani. But there is no evidence to show that the petitioner appeared for medical examination.

8. Ex. M-9 is enquiry report. The charge against the petitioner was proved.

9. The petitioner was appointed in December, 1973 and he had put-up 22 years of service. The petitioner deserves

punishment for his absence from duty without leave. But the punishment of removal of the petitioner from the service is not warranted.

I therefore, consider that the punishment of removal of the petitioner from the service is not in proportion to the charge. Hence, I answer the point accordingly.

In the result, this petition is partly-allowed. The order of dismissal of the petitioner from the service is set-aside. The petitioner shall be reinstated into service within one month from the date of publication of the Award without back-wages and without continuity of service, subject to production of physical fitness certificate from the respondent company hospital. Each party to bear their own costs.

Typed to my dictation, corrected and pronounced by me in the open court on this, 12th day of September, 2000.

P. GURUNADHA RAO, Chairman-cum-Presiding Officer

#### APPENDIX OF EVIDENCE

##### Witnesses examined

For Workman :	For Management :
-Nil-	-Nil-

##### Exhibits

For Workman :

-Nil-

For Management :

Ex. M-1 dt. 5-3-98 Charge-sheet.

Ex. M-2 dt. 17-3-98 Leave application of petitioner.

Ex. M-3 dt. 17-3-98 Medical certificate of petitioner issued by Dr. Bhagya Reddy, M.B.B.S., Neuro-psychiatrist, Karimnagar.

Ex. M-4 dt. 31-12-98 Medical prescription of petitioner.

Ex. M-5 dt. 25-4-98 Ltr. addressed to the petitioner by the Dy. Chief Mining Engineer, GDK No. 6 Incline.

Ex. M-6 dt. 24-6-98 Enquiry notice issued to the petitioner.

Ex. M-7 dt. 25-6-98 Representation of the petitioner.

Ex. M-8 dt. 5-7-98 Letter of enquiry officer enclosing the enquiry papers.

Ex. M-9 dt. 5-7-98 Enquiry report of the enquiry officer.

Ex. M-10 dt. 1-7-98 Enquiry proceedings.

Ex. M-11 dt. 17/21-8-98 Letter addressed to the petitioner by the G.M., RG-I.

Ex. M-12 dt. 27-8-98 Representation of the petitioner.

Ex. M-13 dt. 15/17-9-98 Dismissal order issued to the petitioner by the General Manager, Ramagundam Area-I.

नई दिल्ली, 23 अक्टूबर, 2000

का.आ. 2500—, ग्रौथोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार एस. सी. सी. एल. के प्रबन्धतात्व के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ग्रौथोगिक विवाद में ग्रौथोगिक अधिकारण गोदायरीखनी के पंचाट को प्रकाशित वर्ती है, जो केन्द्रीय सरकार को 23-10-2000 को प्रस्तुत हुआ था।

[सं. एल-22025/23/2000 आई. आर. (सी-II)]

एन. पी. केशवन, डैम्क अधिकारी

New Delhi, the 23rd October, 2000

S.O. —In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal/Labour Court, Godavarkhani as shown in the Annexure in

the Industrial Dispute between the employers in relation to the management of SCCI, and their workman, which was received by the Central Government on 23rd October, 2000.

[No. L-22025/23/2000-IR(C-II)]

N. P. KESAVAN, Desk Officer

#### ANNEXURE

#### BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, GODAVARKHANI

#### PRESENT :

Sri P. Gurunadha Rao, B.Sc., B.L., Chairman-cum-President Officer.

Tuesday, the 12th day of September, 2000.

Industrial Dispute No. 107 of 1998

#### BETWEEN

P. Laxmaiah, S/o Rajam, Aged 27 yrs.,  
R/o. ShivaJinagar, Godavarkhani,  
Ex-General Mazdoor, Exploration Division,  
Godavarkhani. . . . . Petitioner.

#### AND

Singareni Collieries Co. Ltd.,  
Represented by its General Manager,  
RG-III area, Godavarkhani,  
Karimnagar District. . . . . Respondent.

This petition coming before me for final hearing in the presence of Sri K. Sudhakar Reddy and Sri K. Vasudeva Reddy, Advocates for the petitioner and of Sri C. S. N. Reddy, Advocate for the respondent and having stood over for consideration till this date, the Court passed the following :—

#### AWARD

1. This is a petition filed U/s. 2-A(2) of the Industrial Disputes Act, 1947, as amended by A.P. Amendment Act, 1987.

Facts of the case briefly are as follows :

The petitioner was working as General Mazdoor in the respondent company. He applied for casual leave on 2-6-97 and went to his native village. There he was attacked with epilepsy. He fell down and received injury on his head. He could not attend to duty from 3-6-97 to 7-7-97. He produced outstation sick certificate for the said period. But the respondent did not accept the certificate. Charge-sheet was issued on 7-7-97. Domestic enquiry was conducted and the petitioner was dismissed from the service on 28-8-98.

2. Respondent filed counter.

3. Ex. W-1 to Ex. W-7 and Ex. M-1 to Ex. M-10 are marked.

4. Heard both sides.

5. The point for consideration is whether the punishment of removal of the petitioner from the service is in proportion to the charge.

6. Point : Ex. W-3 is charge-sheet dated 7-7-97.

Ex. W-5 is explanation of the petitioner. The petitioner stated that he was absent from duty from 3-6-97 to 7-7-97. Due to unavoidable circumstances, he could not attend to duty. He further stated that he fell sick after 2-6-97. He underwent treatment for the said period.

The petitioner did not submit any medical certificate for the said period.

7. The petitioner admitted his absence from duty from 3-6-97 to 7-7-97. He did not produce any medical certificate for the said period.

But the punishment of dismissal from the service cannot be justified.

I therefore, consider that the punishment of dismissal of the petitioner from the service is not in proportion to the charge. Hence, I answer the point accordingly.

In the result, this petition is partly-allowed. The order of dismissal of the petitioner from the service is set-aside. The petitioner shall be reinstated into service within one month from the date of publication of the Award without back-wages, but with continuity of service. Each party do bear their own costs.

Typed to my dictation, corrected and pronounced by me in the open court on this, 12th day of September, 2000.

P. GURUNANDA RAO, Chairman-cum-Presiding Officer

#### APPENDIX OF EVIDENCE

##### Witnesses-examined

For workman:—  
—Nil—

For Management:—  
—Nil—

##### EXHIBITS

For workman:—

Ex. W-1 dt. 12-5-97 Charge-sheet-cum-enquiry (xerox copy)

Ex. W-2 dt. 10-3-97 Inquiry notice (xerox copy).

Ex. W-3 dt. 7-7-97 Charge-sheet.

Ex. W-4 dt. 27-7-98 Notice issued to the petitioner by the General Manager, Ramagundam Area-III.

Ex. W-5 dt. 4-8-98 Representation of petitioner.

Ex. W-6 dt. 28-8-98 Dismissal order of the petitioner.

Ex. W-7 dt. 30-8-98 Mercy-petition.

For Management:—

Ex. M-1 dt. 7-7-97 Charge-sheet.

Ex. M-2 dt. — Acknowledgement of the petitioner.

Ex. M-3 dt. 31-3-98/5-4-98 Enquiry notice.

Ex. M-4 dt. 27-4-98 Enquiry notice.

Ex. M-5 dt. 12-5-98 Enquiry proceedings.

Ex. M-6 dt. 17-6-98 Enquiry report.

Ex. M-7 dt. 27-7-98 Notice issued to the petitioner by the General Manager, Ramagundam Area-III.

Ex. M-8 dt. 30-7-98 Acknowledgement of petitioner.

Ex. M-9 dt. 4-8-98 Representation of the petitioner.

Ex. M-10 28-8-98 Dismissal order of petitioner.

नई दिल्ली, 25 अक्टूबर, 2000

का. अ. 2501.—ग्रामीणगक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मराठवाड़ा ग्रामीण बैंक के प्रबंधतत्व के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ग्रामीणगक विवाद में केन्द्रीय सरकार ग्रामीण अधिकरण नागपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-10-2000 को ग्राप्त हुआ था।

[सं. एल-12011/12/98/आई. आर. (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 25th October, 2000

S.O. 2501.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Marathwada Gramin Bank and their workmen, which was received by the Central Government on 24-10-2000.

[No. L-12011/12/98 1R-(B-1)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

##### PRESENT :

Shri B. G. Saxena, Presiding Officer.

REFERENCE NO. CGIT : 176/2000

Employers in relation to the Management of Marathwada Gramin Bank

AND

Their Workman Shri S. M. Kulkarni.

#### AWARD

The Central Government, Ministry of Labour, New Delhi, by exercising the powers conferred by clause (d) of sub-section (1) and Sub-section 2(A) of section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide order No. L-12011/12/98-IR(B.I) dated 26-2-1999 on the following schedule.

#### SCHEDULE

“Whether the action of the management of Marathwada Gramin Bank in dismissing Shri S. M. Kulkarni, Clerk from service is legal and justified? If not, to what relief the concerned workman is entitled to?”

The brief facts as mentioned in statement of claim by the workman Shri Sunil Madhukarao Kulkarni are as under:—

The workman Shri S. M. Kulkarni was posted as Clerk at Pathrud Branch of Marathwada Gramin Bnk, Nanded during the period of October and November, 1993. It is alleged that on 25-10-93 Shri S. M. Kulkarni had withdrawn Rs. 180 from the Saving Bank Account No. 409 of Shri M. I. Kollhe. On 25-10-93 he had withdrawn Rs. 120 from SB A/c. No. 1737 of Shri A. C. Itkar. On 16-11-93 he had withdrawn Rs. 2500 from the SB A/c No. 561 of Shri I. B. Bholse. He was working as Incharge Cashier-cum-Clerk. False thumb impression of the account holders were affixed on the withdrawal slips. On 10-12-93 Shri D. B. Bholse came to the Branch Manager for getting the Saving Pass Book updated. The matter was informed to Area Manager and enquiry was conducted against the workman after suspending him w.e.f. 29-12-93.

The workman Shri S. M. Kulkarni has taken the plea that the findings of the Enquiry Officer dated 26-9-96 are perverse. The statement of defence witness Shri Jangam, who was present in the bank on the alleged dates has not been considered properly. Shri M. B. Kolhe deposed during enquiry that he had not submitted any complaint and had also received Rs. 180 from his saving Bank Account. Shri A. C. Itkar did not complain regarding his Saving Bank transaction. Shri D. B. Bholse did not appear as witness from the side of management. The findings of the Enquiry Officer are wrong.

In the Written Statement filed by the management through Shri R. G. Londhe, authorised representative of the Marathwada Gramin Bank, Nanded on 23-8-99 it is stated that Shri S. M. Kulkarni was working as Cashier-cum-Clerk in the aforesaid Bank from 24-9-84. He had withdrawn Rs. 2800 from the accounts of the above mentioned three account holders. Shri S. M. Kulkarni admitted his misconduct and the charge is proved against him. He was dismissed without notice by final order dated 11-2-97.

It is also mentioned in the Written Statement that the contentions of the Union of the workman about not examining the complainants Shri A. C. Itkar and Shri D. B. Bholse as management witnesses, is not acceptable to the Bank as it is the prerogative of the management to examine the witnesses. The enquiry was conducted properly and he was dismissed from service considering the gravity of his misconduct. The Charge against the workman was as under:

Your acts of unauthorisedly, fraudlantly withdrawing the amounts of cash from S. B. Account of depositors by falsely attempting thumb impressions, are the acts not serving the Bank honestly and faithfully [Breach of Regulation No. 19 of Marathwada Gramin (Staff) Services Regulations, 1980].

The Enquiry Report dated 26-9-96 was submitted by Shri Y. M. Pawade. The Disciplinary Authority confirmed the report vide reference No. HO/ST/C-80/97 dated 11-2-97 and after confirming the charge as proved awarded punishment of dismissal from service to the workman Shri S. M. Kulkarni.

The workman in this Court was represented through the Organising Secretary of Marathwada Regional Rural Bank Shri T. B. Hargange. The Bank was represented through Shri Rajesh Kumar, representative of the Bank.

The witnesses of the workman were cross examined by Shri Badrayani, Manager of the Bank at C.G.I.T. Court No. 1 at Mumbai.

Both the parties have filed documents and have also examined the witnesses. The workman examined R. V. Jangam, Shri S.E. Kerure in support of his claim. Shri S. M. Kulkarni workman has also filed his affidavit and he was cross examined by Shri Badrayani, Manager of the Bank on 1-12-99.

From the side of management Shri S. B. Patil and Shri D. V. Deshmukh, Branch Manager were examined. They were cross-examined by Shri T. B. Hargange, Organising Secretary, Marathwada Gramin Bank Employees Union.

I have considered the entire oral and documentary evidence produced by both the parties. The written arguments of the workman have been filed by the Organising Secretary.

The main allegations in his case are that Shri S. M. Kulkarni was working as Clerk in the Marathwada Gramin Bank at Pathrud Branch of the Bank and he had withdrawn the amount of Rs. 180 on 25-10-93 from Saving Bank account of Shri M.B. Kolhe. He withdrew Rs. 120 on 26-10-93 from the account of Shri A. C. Itkar. He had also withdrawn Rs. 2500 on 16-11-93 from the account of Shri D. B. Bhosle. These amounts were drawn fraudulently.

The statement of Shri S. B. Patil, Area Manager shows that since July, 1999 he was posted as Area Manager at Area Office Beed (BPAG). He investigated the fraud occurred in the S.B. A/c of three depositors. In cross examination on 21-8-2000 this witness admitted that he was not Area Manager of Pathrud Branch where the alleged fraud was committed in the year 1993. He did not see any Account Holder submitting the withdrawal slips or withdrawing the amount from the Bank on 25-10-93, 26-10-93 and 16-11-93. On the alleged dates Shri S. M. Kulkarni and Shri R. V. Jangam were posted in the Bank and R. V. Jangam therefore could be the eye witness of this occurrence. The transaction of cash of this Bank was checked by the Branch Manager. On 16-11-93 Shri T. B. Kodag was the Branch Manager of this Bank. He further admits that he did not record the statement of any customer from whose accounts the aforesaid amount were withdrawn. He did not contact any of the above account holders.

From the management of the Bank also he did not receive any written complaint from Account holders M. B. Kolhe. He further says that he did not record the statement of Shri R. V. Jangam, who was posted in the Bank and could be the eye witness.

The second witness of the management is Shri D. V. Deshmukh, Branch Manager. He has mentioned that he was working as Branch Manager of Pathrud Branch from 12-7-93 to 24-6-97. On 25-10-93, 26-10-93 and 16-11-93 Anil Aknodkar was Area Manager of this Branch. On 16-11-93 Shri E. B. Kodag was officiating as Branch Manager. His statement shows that he had not detected that any amount was short on these dates. He also did not submit any report to his Area Manager. He had confirmed the business of the Bank and all the transactions that had taken place on 25-10-93 and 26-10-93. On returning from leave after 26-10-93, he had confirmed these transactions.

The payment vouchers were passed by Shri E. B. Kodag on 16-11-93. He further says that he cannot say anything about the entries made in the account of Shri D. B. Bhosle.

The statements of these witnesses therefore show that none of the above account holder came to the Bank in their presence. The Branch Managers have also confirmed the transactions of the above dates.

From the statements of these witnesses of the management also the allegations of the workman do not stand proved.

It is not explained by the management as to why the statements of account holders Shri A. C. Itkar and Shri D. B. Bhosle were not recorded during the enquiry.

None of the account holders Shri M. B. Kolhe, Shri A. C. Itkar and Shri D. B. Bhosle supported the charge levelled against the workman. On the other hand Shri M. B. Kolhe told during the enquiry that he had not submitted any complaint. He had also received Rs. 180 from his SB A/c. Shri D. B. Bhosle was called by the management, but he did not turn up to support the allegations made against the workman during enquiry.

In the order dated 11-2-97 the disciplinary authority has mentioned that none of the above Account holder demanded the said amount from the Bank. The Enquiry Officer therefore did not explain as to what happened to the amount which was got deposited from Shri S. M. Kulkarni, workman.

It is further mentioned in order dated 11-2-97 by the disciplinary authority that "it is immaterial that how and from whom the complaints are received". This finding of the Disciplinary Authority is not proper and justified.

During enquiry it was a material point to ascertain as to how and from whom the complaints were received by the management. The other findings of Enquiry Officer is that the workman has made voluntarily confession on 16-12-93 and submitted explanation dated 17-10-94. The workman has stated that the confession was not made by him voluntarily.

The statement of the workman dated 16-12-93 or the explanation at 17-10-94 cannot be considered confession unless it is brought on record that it was made voluntarily. If any statement or letter is obtained by the management by using undue influence or under threat of dismissal, it cannot be treated as a confession. The workman cannot be compelled to give statement against himself in the enquiry proceedings under any pressure. If none of the account holders supported the allegation of fraud against the workman S. M. Kulkarni than it is clear that the findings of the Enquiry Officer are not based on the evidence on record. The findings of enquiry officer are therefore perverse.

On behalf of the workman Shri R. V. Jangam has been examined. He has stated that he had recognised the account holders Sh. M. B. Kolhe, Shri A. C. Itkar and D. B. Bhosle on the relevant dates 25-10-93, 26-10-93 and 16-11-93. These account holders had come to the Bank and had withdrawn the amount themselves. They had affixed their thumb impressions on the withdrawal slip with his help. He was posted at Pathrud Branch of Marathwada Bank with Shri S.M. Kulkarni, workman on these dates in the year 1993. He was examined by the workman during the enquiry proceedings. Shri S. E. Kerure and Shri S. M. Kulkarni who submitted their affidavits in support of the claim, were also cross examined by the representative of the management of the Bank Shri S. M. Kulkarni has stated that above three account holders have received the amount on the same day when they withdrew the amount. Shri S. E. Kerure has stated in cross examination on 1-12-99 that the letter dated 16-12-93 was obtained from Kulkarni forcibly. It shows that this letter was not written by Shri S. M. Kulkarni voluntarily.

None of the account holders namely Sh. S. B. Kolhe, Sh. A. C. Itkar and Sh. D. B. Bhosle supported the case of the management regarding the fraud committed by the workman or misappropriation of Rs. 2800 by the workman. Thus charges against the workman are not proved. The finding of the enquiry officer is therefore not based on the relevant and reliable evidence. The enquiry report is therefore perverse. The enquiry was not conducted according to the principles of natural justice.

The dismissal of the workman Shri S. M. Kulkarni on the aforesaid enquiry report is therefore unfair and illegal.

The dismissal order of the workman Shri S. M. Kulkarni by the Disciplinary Authority management of Marathwada Gramin Bank vide order dated 11-2-97 is therefore set aside.

## ORDER

The action of the management of Marathwada Gramin Bank in dismissing Shri S. M. Kulkarni, Clerk from service is illegal and unjustified. The dismissal order dated 11-2-97 passed by disciplinary authority is set aside. The management is directed to reinstate the workman from the date of his dismissal with full back wages alongwith continuity in service and the consequential benefits arising therefrom. The workman will also get full wages for the period he remained suspended. The parties shall bear their own cost.

The reference is answered accordingly.

Date : 9-10-2000.

B. G. SAKENA, Presiding Officer

नई दिल्ली, 25 अक्टूबर, 2000

का. धा. 2502.—श्रीशोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 17 के अनुमति में, केन्द्रीय सरकार रिजर्व बैंक आफ इंडिया के प्रबंधतान्दे के संबद्ध नियोजकों और उनके कर्मकारों के बीच प्रत्युषध में निरिप्ट श्रीशोगिक विवाद में केन्द्रीय सरकार श्रीशोगिक अधिकरण श्रम न्यायालय जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-10-2000 को प्राप्त हुआ था।

[सं. एल-12011/48/92/आई. आर. (बी-III(बी-I)]  
अजय कुमार ईस्क अधिकारी

New Delhi, the 25th October, 2000

S.O. 2502.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Reserve Bank of India and their workman, which was received by the Central Government on 24-10-2000.

[No. L-12011/48/92-IR(B-III)/(B-I)]  
AJAY KUMAR, Desk Officer

## ANNEXURE

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

Case No. CGIT/LC/R/229/92

Presiding Officer : Shri K. M. Rai.  
The Reserve Bank of India Employees  
Association, Regd. No. 4717,  
Nagpur. . . . . Applicant.

Versus

The Reserve Bank of India,  
Nagpur. . . . . Non-applicant.

## AWARD

Delivered on this 28th day of September, 2000

1. The Government of India, Ministry of Labour vide order No. L-12011/48/92-IR.B.III dated 23-11-92 has referred the following dispute for adjudication by this tribunal—

“Whether the action of the management of Reserve Bank of India, Nagpur in not reflexing the seniority and date of confirmation in service in relation to Shri P. R. Nandedkar and S. M. Chepurwar, clerks Grade II after completion of one year service, is justified? If not, what relief the workman are entitled to?”

2. The case for the workman is that applicant Union is a registered Trade Union of the Class III employees of the Reserve Bank of India at Nagpur which has the following till class III employees. This fact has also been recognised by the Bank. As per the advertisement of the Bank, the applicant workman were selected for the post of operators for photocopier and offset printing machine by the non-applicant Bank and accordingly they were appointed in the banks service on 1-3-83 and 6-6-83 respectively. They dis-

charged their duty as operator of photocopy machine and offset machine installed at the public debt office of the Bank in its offset printing unit. In terms of bipartite settlement of 1984, all employees who completed 1 year of service are to be automatically confirmed in the banks service. In spite of it, the workman were confirmed much late on 1-12-89 and 13-12-89 respectively. The belated confirmation of the workman has caused enormous cumulative beneficial loss in the service. The workman P. R. Nandedkar and Shri S. M. Chepurkar while in service, completed their graduation in 1984 and 1986 respectively. An employee acquiring graduation come out for switch over to clerical cadre after putting in service of 5 years. These workmen opted for switch over to clerical cadre on 12-3-86 and 18-7-86 respectively. They actually become entitled for switch over by completing 5 years of service. There were 28 vacancies available in the Nagpur Office at that point of time.

3. The workmen further allege that the workman who becomes entitled for switch over are observed in the common cadre. The head office at Bombay also gave a clearance on 18-9-86 for switch over to these workman to common cadre. The offset printing unit of the Bank was later on found to be superfluous for the bank and therefore this unit was wound up. The employees of this unit were decided to be transferred to the Central Office at Bombay in September 1984. In view of this decision, the present two workmen were transferred to Central Office at Bombay for which they made representations to the Bank requesting for cancellation of the same. The bank never headed to their request. The workman had strong and genuine case for switch over from non-clerical to clerical cadre. The Non-applicant Bank forcibly transferred them to Bombay on 26-12-88 in the same capacity as operator of the photocopy machine.

4. On 22-5-89, at Bombay the workmen switched over to clerical cadre vide order dated 26-5-89. In pursuance of this order, the workmen were transferred to Nagpur on 23-5-89. On account of their late confirmation they have lost their seniority and the employees junior to them had been designated senior. Had the workman been given their original switch over in the year 1984 itself, there could not have been any propriety of transferring them to Bombay and again bringing them back to Nagpur and confirm them after a lapse of 6½ years. This conduct of the management has put the workmen much junior in seniority at Nagpur. The chances of their further promotion has been marred. The workmen are therefore entitled to their proper seniority and confirmation as available to the workers under bipartite settlement of 1984 and switch over scheme of 1972.

5. The case for the management is that the applicant workmen were initially appointed as operators and were posted at Nagpur Office of the Bank. Subsequently on account of the changed circumstances and technical advancement Bank was required to replace offset printing machine. Due to this fact, the services of the workmen could no be utilised for the purpose they were recruited. The Bank therefore decided to shift the machine to Bombay for installation and use the same. Accordingly in spite of terminating the services of the workmen, the Bank offered to transfer the workmen to Bombay at Bank's cost to work on a machine. The workmen accepted the offer and therefore they were transferred to Bombay. Later on as a result of re-organisation, shifting of some Departments and associate institutions of the bank at Nagpur certain vacancies of clerk had become available at Nagpur. Therefore the applications were invited for such employees of the Bank in Bombay who were interested to go to Nagpur on transfer. The Bank had stipulated certain terms and conditions in respect to such transfer. One of the terms and conditions was that the interested employees who are transferred from Bombay to Nagpur would be junior to the junior most temporary clerk in Bombay on the day they reported there. The workmen were not clerks of the Bank even then in a special case, they were treated eligible for applying for transfer in response to the said offer. Having regard to the fact they had in the meantime, completed 5 years of service and had also become graduate. The category of operator for photocopier machine/offset machine/vacuum exployer unit was not in the list of category in class III eligible for switch over to clerical cadre enclosed to AC No. 13 dated 15-5-78. By assigning special consideration, the workmen were transferred to Nagpur in May 1989, in the clerical cadre after they voluntarily accepted the terms and conditions stipulated by the Bank in respect thereof. The Bank further alleges that on account of unforeseen circumstances, the unit for which the workman were

employed was to be transferred to Bombay and therefore they could not continuously worked for one year under the supervision of the Bank at Nagpur. Without assessing the performance of the workman it was not possible for the management to confirm the workman after completing a period of one year service. In view of this fact provisions of settlement of 1984, with regard to confirmation shall not be applicable in the instant case. In terms of 1989 settlement, the workmen were confirmed after completion of 6 months service as clerk under the supervision of the Bank. Accordingly they were confirmed on 1st December, 1989 and all the benefits of seniority of the said post with effect from this date was given to them. In view of all these facts, the workmen are not entitled to the relief as claimed by them. The action of the management in respect to the confirmation and fixing the seniority of the workmen is legal and justified.

6. In the instant case the sole point for determination is as to whether the workmen Shri P. R. Nandedkar and Shri S. M. Chepawar, clerks, Grade II are entitled to the relief as claimed by them?

7. It is an admitted fact that Reserve Bank of India, Nagpur had invited applications for the appointment of operators for photocopier machine and printing machines from the candidates who had passed matriculation or its equivalent from the university/board from Vidarbha, MP in the year 1982. These workmen Shri P. R. Nandedkar and Shri S. M. Chepawar were appointed in the Bank on the said post w.e.f. 1st March, 1983 and 6th June, 1986 respectively. The photocopy machine could not be put to use from the beginning and there was no sufficient work as photocopy machine operator. In such a circumstance, there was no scope to assess and evaluate their technical, competence for the confirmation. Accordingly their confirmation was deferred vide letter dated 20-3-85. The workmen were asked to work on typewriter machine which they declined in writing. There was no other machine in Nagpur Office where the service of the workmen could be utilised. In such a circumstance, the services of the workmen could have been terminated by the Bank. The Bank took the lenient view and considered shifting of machine to Mumbai and advice Nagpur Office vide letter dated 24-6-85 to ascertain willingness for transfer of workmen to Mumbai. The workmen were issued letter dated 24-6-85 by Nagpur Office to transfer them to Mumbai in order to accommodate them and the workmen voluntarily accepted the transfer to Mumbai Office. At that time the workmen never objected to their seniority as in the new centre, they had to be treated as junior most as they cannot be given seniority over the employees already working there. Even in Mumbai there was no sufficient work in Urban Banks Department where the workmen were posted. The Chief Officer, Urban Bank Department, Mumbai made it clear that the workmen be withdrawn forthwith as there was no sufficient work and there posting will create unrest among the employees. He suggested the shifting of workmen to other departments to utilise their services. The services of the workmen could not be fully utilised for operating photocopy machine at Mumbai. Meanwhile the workmen had set their options for switch over to clerical cadre during 1986 after completion of their graduation. The workmen, being photocopy machine operator, were not entitled to switch over to clerical cadre and they were also not confirmed employees.

8. To accommodate the present workmen, on 7-2-89, the central office of the Bank decided to shift Regional Office of Deposit Insurance and credit guarantee of Corporation of India to Nagpur and to open a cell each of Urban Department and Credit Department at Nagpur. The options from clerical staff attached to all departments/office in Mumbai from transferring them to Nagpur were invited. The actions were irrevocable. The workmen voluntarily gave their option for switch over to clerical cadre vide letter dated 16th March, 1989 and requested for transfer to Nagpur. The workmen Shri Nandedkar has not exercised the option within a stipulated period on the ground that the category of photocopy machine operator in the non-clerical cadre in which he was working was not indicated as eligible candidate under the scheme. Subsequently on 16th March, both the workmen submitted their option for the said post and the bank accepted their option and transferred them to Nagpur Office vide letter dated 23rd May, 1989. The workmen also accepted the terms and conditions of the transfer and absorption in the clerical cadre. The workmen have been confirmed according to prevailing rules and no prejudice has been caused to them. No financial loss has to be caused to these work-

men. They have enjoyed all the benefits for which they were entitled.

9. To confirm and promote any employee of the Bank, it is a subjective satisfaction of the competent authority of the management. In this respect no hard and fast rules can be laid down. If the management is satisfied with the work and conduct of the employee, then they can consider the case of confirmation and promotion and also grant the same on being satisfied with their performance. No employee can claim the confirmation and promotion as a matter of right. The workmen have been given proper employment and the Bank had considered their case to absorb them in the clerical cadre. In such a circumstance, the present workmen cannot claim any relief as stated in their statement of claim.

10. On the reasons stated above, the workmen are not entitled to get any relief as claimed by them. They have been properly confirmed by the management and they are getting all the benefits permissible under the rules. In this view, the reference is answered in favour of the management and against the workmen. Parties to bear their own costs.

11. Copy of the award be sent to the Government of India, Ministry of Labour for publication as per rules.

K. M. RAI, Presiding Officer

नई दिल्ली, 25 अक्टूबर, 2000

का. प्रा. 2503.—श्रीदीगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मराठावाडा प्रामीण बैंक के प्रबंधनत्व के संबंध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट श्रीदीगिक विवाद में केन्द्रीय सरकार श्रीदीगिक अधिकरण/श्रम व्यायालय नागपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-10-2000 को प्राप्त हुआ था।

[सं. एल-12011/56/99-आई. आर. (बी-1)]

अजय कुमार, डेस्क प्रधिकारी

New Delhi, the 25th October, 2000

S.O. 2503.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Nagpur as shown in the Annexure is the Industrial Dispute between the employers in relation to the management of Marathwada Gramin Bank and their workmen, which was received by the Central Government on 24-10-2000.

[No. L-12011/56/99-IR(B-1)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

PRESENT SHRI B. G. SAXENA, PRESIDING OFFICER,

Reference No. CGIT : 19/2000

Employers in relation to the Management of Marathwada Gramin Bank

and

Their Workman Shri Ravindra Bajirao Rakh

#### AWARD

The Central Government, Ministry of Labour, New Delhi, by exercising the powers conferred by clause (d) of Sub section (1) and Sub section 2(A) of section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide order no. L.12011/56/99-IR(B-1) Dated 20-1-2000 on the following schedule.

## SCHEDULE

"Whether the action of the Management i.e. Chairman, Marathwada Gramin Bank, Head Office, Nanded, dismissing of Shri Ravindra Bajirao Rakh, Ex. Messenger, Marathwada Gramin Bank, Branch Patoda, is legal, proper and justified? If not, to what relief, the workman is entitled and from which date? What other directions are necessary in the matter?

Ravindra Bajirao Rakh was working as Messenger in Marathwada Gramin Bank, Branch Patoda, Distt. Beed since 1991. It is alleged that on 8-12-94 he had received amount of Rs. 2950/- from Beed Dist. Central Cooperative Bank, Br. Patoda towards payment of local collection, but he did not remitted in his branch and committed fraud and breach of regulation 19 of M.G.B. staff regulation 1980. The charge-sheet was issued to him on 22-6-95 under rule 19 of Marathwada Gramin Bank (Staff) service regulation 1980. In the enquiry conducted against him the charge was proved and the Disciplinary Authority dismissed him without notice vide final order dated 13-11-97.

The workman has taken the plea that Rs. 3550/- was stolen from his pocket. He had told the Enquiry Officer about it, but his defence was not considered. He has been awarded disproportionate punishment. His suspension from 2nd January 1995 be set aside and he may be reinstated.

In Written Statement dated 24-4-2000 the Marathwada Bank stated that the workman had misappropriated Rs. 2960, the amount collected by him on 8-12-94 was not deposited same day or on the next day in the bank. It is not accepted to the bank management that he lost the amount Rs. 2950/- in transit. The findings of Enquiry Officer are based on the Principles of Natural Justice and the punishment is not disproportionate.

The witness S. D. Kulkarni was examined by the workman in this court. The workman R. B. Rakh had also submitted his affidavit and he was cross-examined by the management of the bank.

The management of the bank examined V. D. Rathod, Officer of the bank. He was cross-examined by the representative of the workman, Sunil Kulkarni. The parties also filed the documents in support of their case.

Both the parties have also submitted their written arguments.

The representative of the workman Sunil Kulkarni and representative of the bank Shri Rajeshkumar have also argued the case orally.

I have considered the oral and documentary evidence produced by the parties and the arguments of the representatives of both the parties.

In his statement on 4-7-2000 Ravindra B. Rakh workman had admitted that he had collected Rs. 3550 from the Co-operative Bank of Beed on 8-12-94. He had deposited Rs. 600 in the bank on this day. He says that Rs. 3550 was stolen from his pocket when he was in the market of Patoda. When he came to Marathwada Gramin Bank he had no money in his pocket on 8-12-94. He collected Rs. 600 from Parmeshwar Wade and deposited it in the bank same day. He had paid the remaining amount on 17th January, 1995 and 8th February, 1995 in the bank.

S. D. Kulkarni the witness examined by the workman stated that he is Cashier in the bank. The work of the clearing of the cheques is taken from the messenger. On 17-1-95 Ravindra B. Rakh, workman had deposited Rs. 2000 in the bank and on 8-2-95 he deposited Rs. 950 in the bank. He does not say that he had advised the workman to lodge any report of theft at the Police Station. He does not say that the workman had given any report of theft to the Branch Manager of the bank. Thus, there is no evidence on record to show that Rs. 3550 were stolen from the pocket of the workman on 8-12-94. The defence taken by the workman is not reliable.

Shri V. D. Rathod the Branch Manager of the Patoda Branch stated that R. B. Rakh was working as a regular scale messenger in the said branch. He was collecting the

money for the bank. The workman R. B. Rakh had collected Rs. 3550 from Beed Dist. Central Cooperative Bank, Branch Patoda on 8-12-94. He deposited only Rs. 600 in the bank on said date i.e. 8-12-94. He did not deposit Rs. 2950 pertaining to LC No. 82/94.

In cross examination he has stated that the messengers are generally sent for the local collection of the cash. This practice is going on since long in the bank. The messenger did not return from M-2. He had demanded this form. No claim was submitted to Insurance Company for the loss of cash.

From the statement of witnesses and documents on file, it is therefore clear that the workman misappropriated Rs. 2950 which he had collected on 8-12-94.

It is argued by the representative of the workman that the bank did not lodge the report of the theft and did not submit any claim to insurance Company. The workman has been falsely implicated in the case.

This argument has no force. The workman himself could lodge report at Police station concerned and handover the copy of F.I.R. to the Branch Manager. For lodging the report of theft the permission of the Branch Manager was not required. In these circumstances the Enquiry Officer has given correct finding. The finding of Enquiry Officer therefore is fair.

The statement of S. D. Kulkarni examined by the workman shows that he was representing the workman in the enquiry proceedings. Thus the workman was also given opportunity to defend himself in the enquiry proceedings. The enquiry therefore can not be considered perverse. The Enquiry was conducted according to the principles of Natural Justice.

The punishment awarded to the workman in the above circumstances can not be considered disproportionate.

## ORDER

The action of the management that is Chairman, Marathwada Gramin Bank, Head Office, Nanded dismissing of Shri Ravindra Bajirao Rakh, Ex Messenger, Marathwada Gramin Bank, Branch Patoda, is legal, proper and justified. The workman is not entitled to any relief.

The reference is answered accordingly.

Dated : 6-10-2000.

B. G. SAXENA, Presiding Officer

नई दिल्ली, 25 अक्टूबर, 2000

का. आ. 2504.—प्रीधोपिक विवाद भविनियम, 1947 (1947 का 14) की बारा 17 के भन्सरण में, केन्द्रीय सरकार रिजर्व बैंक प्राफ इंडिया के प्रबंधतात्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्विट प्रीधोपिक विवाद में केन्द्रीय सरकार प्रीधोपिक प्रधिकरण/श्रम व्यायालय जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-10-2000 को प्राप्त हुआ था।

[म. एल-12011/13/93-प्रार. (वी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 25th October, 2000

S.O. 2504.—In pursuance of Section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Reserve Bank of India and their workman, which was received by the Central Government, on 24-10-2000.

[No. L-12011/13/93-IR(B-1)]  
AJAY KUMAR, Desk Officer

**ANNEXURE**  
**BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR  
COURT, JABALPUR**  
Case No: CGIT/LCR/126/93

PRESIDING OFFICER : SHRI K. M. RAI  
Reserve Bank employees' Association  
Nappur through Secretary . . . . . Applicant

Versus

Reserve Bank of India, Nagpur  
through Chief General Manager ...Non-applicant

**AWARD**

Delivered on this 25th day of September, 2000

1. The Government of India, Ministry of Labour vide order No. L-12011/13/93-IRB, I dated 24-6-93 has referred the following dispute for adjudication by this tribunal—

“Whether the action of the management of Reserve Bank of India in reverting three workmen namely Shri A. S. Joshi, A. R. Kotharkar and P. D. Dhone from Coin Note Examiners Grade I to Grade II w.e.f. 22-12-92 is legal and justified ? If not, what relief the workmen are entitled to ?”

2. The case for the applicant Union is that it is registered trade union having registration No. 4717. The Union has the following of the majority of class II employees of the Bank at Nagpur. One of the principal functions of the non-applicant Bank is issue of currency notes to various Banks, Government Departments and the Public and disposal of soiled notes unfit for further use. The currency cycle of issuing fresh notes to Public, various Banks and receiving back the soiled notes from Public/Banks and their destruction continues to be the principle activity of the Bank at Nagpur through its Issue Department. For carrying out this activity, the Bank engaged 91 Coin|Note examiners Grade-I. They use to carry out various supervisory functions, connected with processing of currency.

3. The non-applicant Bank entered into the Private Agreement with the rival Union and on 29th May '92, implemented joint study team recommendations in an attempt to overall the working of the cash department. In view of this agreement, 58 posts of Coin|Note Examiners Grade I were rendered surplus at Nagpur and the remaining 33 posts are allowed to be continued at Nagpur from 29th May 1992 at Nagpur. In this way, the sanctioned strength of Coin|Note Examiners Grade-I was redetermined to 33 at Nagpur w.e.f. 29-5-92, in violation of the prevailing legal provisions. The non-applicant further reduced 3 more posts of Coin|Note Examiners Grade-I w.e.f. 22-12-92. In the light of this reduction of post, the workmen Shri A. S. Joshi, A. R. Gathalkar and Shri P. D. Dhone had been reverted to their substantive cadre of Coin|Note Examiner Grade-II. These workmen were reverted without assigning any reason and without giving proper notice in respect thereof. The non-applicant had not followed the procedure established under Sec. 9-A of I.D. Act, 1947 read with rule-34 Part IV of the I.D. (Central) Rules 1957 and therefore the non-applicant's action in reverting the said 3 applicants is absolutely illegal and unjustified.

4. The applicant Union has prayed for setting aside the impugned order of the non-applicant Bank on the consequential relief of protecting the cadre of the aforesaid three workmen as coin|note examiner Grade-I.

5. The case for the non-applicant Bank in brief is that no change in the service condition of the employees had been done in pursuance of clause-C(i) of Part (xiv) of the settlement dated 29th August 1989 between the All India Reserve bank Employees Association (AIRBEA), recognised Trade Union of class III employees of the Bank and the management of the Reserve Bank of India a study team comprising nominees of AIRBEA and the Bank was constituted to examine among promotional avenues of Class III staff. The Bank has examined the report submitted by Joint Study Team. The major recommendations of the committee in relation to Issue Department are as stated below:

I. In order to strengthen qualitatively the supervisory machinery in the Note Examination Section (NES) the posts of Group supervisors should be upgraded to those of Assistant Treasurers.

II. As a sequel to upgradation of the posts of Group supervisors and keeping in view the volume of work and span of control the strength of coin|note examiners (CNEs) in a Group may be increased from 7 to 14.

III. Each NES should be in the charge of a Deputy Treasurer (Officer in Grade B) and a Deputy Treasurer incharge of a NES with 3 groups (42 CNEs Grade-II) be assisted by one assistant Treasurer. However in cases where NES are formed with only two groups no additional Asstt. Treasurer would be provided to the Dy. Treasurers incharge of the NESs.

IV. The Defective Note counters may be manned by Asstt. Treasurers instead of tells. Services of one Deputy Treasurer at each office irrespective of the number of defective notes counters may be provided to adjudicate the claims not payable at the Asstt. Treasurer's level.

6. The bank considered that the recommendations of the committee were beneficial to the employees and also to the interest of the Bank and therefore decide to implement the same. Re-organisation of cash deptt. at Nagpur office was done in the light of policy decision of the Joint study team in which the representatives of the trade union of the Bank employees had also participated and concurred with the recommendations of the team. The recommendations of the team have already been implemented by other officers also. The sole dispute has been raised by the Nagpur office only. In the light of the recommendation of the Joint Study Team, only 33 posts of CMEs in the Nagpur office after reorganisation. The 3 applicants workman had no right to hold post of Coin|Note Examiner Grade-I.

7. It is further alleged by the non-applicant Bank that the applicant Union is not the representative of Class III employees of the Nagpur office. After the recommendation of joint study team the post of CME has been reduced to 33 and therefore the surplus employees were to be transferred out of issue department to other clerical post

in other department, the 3 applicants were on day to day basis officiating as CNE Grade I and there was no vacancy available for their regular promotion and consequentially they were taking no right to be put in a substantive grade. These applicants have also not performed officiating service for more than one year and therefore, they were not entitled to be retained as CNE Grade I. The non-applicant Bank had a legal right to reorganise its business and consider re-allocation of the work among its employees. No illegality has been committed in reverting the applicants workman to the post of CNE Grade II. The Bank has not constrained the provisions of Sec-9-A of I.D. Act 1947 in reverting back the applicants workman to their substantive Grade. In view of all these facts, the applicants are not entitled to get the relief as claimed by them and the reference deserve to be answered accordingly.

8. From the facts and circumstances of the case, it appears that the reversion of 3 employees Shri A. S. Joshi, Shri A. R. Kotharkar and Shri F. D. Dhone w.e.f. 22nd December 1992 was done by the bank in terms of Regulation-30 of Reserve Bank of India (Staff) Regulations 1948. By this reversion, the said 3 workmen did not suffer any loss of pay or any other monetary benefits. These employees were officiating as coin|note examiner Grade-1. The officiating employees have no right to the cost and are liable to be reverted within the period of one year from the date of promotion. This has been approved by the National Industrial Tribunal presided over by Justice Shri C. T. Dubey.

9. On the basis of the report of Joint Study Team vide circular No. DCM (Cir) No. G-69/SC, SS (Insp)-91-92 dated 21st February 1992 by which the officers post were increased for the benefit of the employees of the Issue Department. The Bank implemented the Joint Study Team Report which was represented by the representatives of the All India Reserve Bank Employees Association, which is a recognised Trade Union of the Class III employees of the Bank, also participated in the enquiry before the Joint study team and they also accepted the recommendation of the said team. The common cadre Clerk Grade-II were transferred to general side and confirmed Coin|Note Examiner Grade I in excess were retained in cash department on supernumerary basis.

10. The workman Shri A. S. Joshi has been promoted to Coin|Note Examiner Grade I w.e.f. 14-6-96 and has been further promoted to teller officiating w.e.f. 1st July-97. He has also been promoted as Assistant Treasurer w.e.f. 1-7-98. This fact goes to show that he has got his promotion regularly at the time his chance came in.

11. A. R. Kotharkar has been transferred at his request to the Banks office at Bhopal. At the time of transfer he was working as teller on 23rd May-1998. Subsequently he has been promoted as Assistant Treasurer and retired from the bank Service w.e.f. 30th June, 2000 as Dy. Treasurer. This fact also goes to show that Shri A. R. Kotharkar too has got his promotion at the relevant time.

12. Shri P. K. Dhone has retired from service w.e.f. 30-6-97. His reversion has not been found to be illegal as held earlier.

13. On the reasons stated above, the workman were not reverted illegally by the Bank. Their reversion was perfectly legal. Subsequently they have got the promotion when ever it became due. In view of this fact, the workman are not entitled to any relief as claimed by them. The reference is accordingly answered against the workman and in favour of the management. In the circumstances of the case, parties shall bear their own cost.

14. Copy of the award be sent to the Government of India, Ministry of Labour as per rules.

K. M. RAI, Presiding Officer

नई दिल्ली, 25 अक्टूबर, 2000

का. प्रा. 2505.—प्रौद्योगिक विद्याव अधिनियम, 1947 (1947 का 14) की घारा 17 के अनुसारण में, केन्द्रीय सरकार रिजर्व बैंक इंडिया के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट प्रौद्योगिक विद्याव में केन्द्रीय सरकार और प्रौद्योगिक अधिकारण/अम न्यायालय जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-10-2000 को प्राप्त हुआ था।

[सं.-एस 12012/105/90-भाई भार. (बी-III)/(बी-I)]

प्रजय कुमार, डेस्क अधिकारी

New Delhi, the 25th October, 2000

S.O. 2505.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Reserve Bank of India and their workman, which was received by the Central Government on 24-10-2000.

[No. L-12012/105/90-IR(B-III)(B-I)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

Case No. CGIT/LC/R/175/90  
PRESIDING OFFICER : Shri K. M. Rai.

Shri Anant Ram,  
S/o Maroti Agarkar,  
Plot No. 21,  
R.B.I. Workers Housing Society,  
Near New Jagruti Society,  
Katol Road, Nagpur  
... Applicant

Versus  
The Manager,  
Reserve Bank of India,  
Nagpur  
... Non-applicant

## AWARD

Delivered on this 25th day of September, 2000

1. The Government of India, Ministry of Labour vide Order No. L-12012/105/90-IR(B-III) dated 22-8-90 has referred the following dispute for adjudication by this tribunal—

“Whether the action of the management of Reserve Bank of India, Nagpur by superannuating the workman for not relying on the date of birth shown in the School Leaving Certificate is justified? If not, what relief the workman is entitled to?”

2. The case for the workman is that he was employed as Class IV employee by the non-applicant Bank on 6-10-56. His age of superannuation was 60 years. In view of this fact, he was to retire on 1-4-92. The non-applicant Bank retired him from service earlier to his attaining the age of superannuation i.e. on 30-11-89. In violation of the rules made thereunder. Prior to this appointment, he joined the military service on 1-12-49, thereafter he was discharged from military service on 21-12-55. His discharge certificate annexure A shows the age of discharge as 26 years and 21 days. At that time of joining his service in the Bank, he submitted his discharge certificate issued by the Military department as well as the school certificate from Municipal Primary School, Distt. Akola. The staff of the non-applicant Bank entered the date of birth in the relevant records as 18-11-29 which was not in his knowledge at all. This date of birth was entered arbitrarily. In the school certificate his date of birth was 1-4-32 which was also entered in the medical form by the management. On the basis of his school leaving certificate, his date of birth is 1-4-32 which should have been accepted by the Bank. The Bank wrongly accepted his date of birth as 18-11-29. In view of all these facts, his superannuation with effect from 1-12-89 deserves to be set aside.

3. The case for management is that the workman had himself entered his date of birth in his application form as 18-11-29 at the time of recruitment. On the basis of this date of birth, he is not entitled to continue service till 1-4-93. The workman had not submitted any School Certificate at the time of recruitment in the Bank showing his date of birth as 1-4-32. He was recruited as Ex. Servicemen and on the basis of his discharge certificate submitted by him his date of birth was accepted as 18-11-29. On 30-10-86, the workman submitted the copy of School Leaving Certificate with an attempt to prove his date of birth as 1-4-32. Prior to this date, he never tried to submit the said School Leaving Certificate to establish that his date of birth was 1-4-32. The workman himself had entered his date of birth as 18-11-29 in the application form at the time of medical examination and none of the employees of the Bank had filled up this form. In the light of the entries made in, the military discharge certificate. The applicant cannot be allowed to prove his date of birth as 1-4-32 at a deleted stage. The workman's date of birth was 18-11-29 and therefore he is not entitled to get any relief as claimed by him.”

4. The sole point for determination in the case is as to whether the workman is entitled to be retired from service w.e.f. 1-4-92.

5. It is an admitted fact that the workman applied for the appointment to the post of class IV by the Bank. He filled the application form which is Exhibit A-1 in which he declared his date of birth as 18-11-29. He also furnished a military discharge certificate which disclosed his age as 26 years 21 days on the date of this charge i.e. 21st Dec-55. The workman has also declared his date of birth as 18-11-29 in Provident Fund Declaration form. At the time of recruitment the workman did not furnish any school leaving certificate showing his date of birth. He had only furnished the military discharge certificate. After a lapse of about 30 years, the workman applied for the change of date of birth in 1986 on the basis of school leaving certificate which does not bear official seal of the school or principal of the same. Annexure A.2 shows that the workman was fully conversant with English language and in the form of Agreement Annexure-A, he has entered his date of birth as 18-11-29. The documents Annexure-A and Annexure A.1 merely show that workman had voluntarily entered his date of birth as 18-11-29 at the time of recruitment. The primary school certificate Ex. W-4 does not bear any official seal of the school. In such a circumstance, its genuineness appears to be doubtful and more so it was filed after a lapse of 30 years. After so much delay, it can't be accepted that the date of birth was 1-4-32.

6. In view of the aforesaid discussion, it becomes clear that the workman's actual date of birth is 18-11-29 and not 1-4-32. The management has rightly retired him on the basis of his date of birth as 18-11-29 which was entered in the application form of the workman at the time of recruitment. The workman cannot get any relief on the basis of School Leaving Certificate in which his date of birth has been entered as 1-4-32.

7. On the reasons stated above, the workman is not entitled to any relief as claimed by him. His superannuation is just and proper. In this way, the reference is answered in favour of the management and against the workman. In the circumstances of the case, the parties shall bear their own cost.

8. Copy of the award be sent to the Government of India, Ministry of Labour as per rules.

K. M. RAI, Presiding Officer

नई दिल्ली, 25 अक्टूबर, 2000

का. आ. 2506.—श्रीयोगिक विवाद अधिनियम, 1947

(1947 का 14) की आरा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंडिया के प्रबंधसंघ के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट श्रीयोगिक विवाद में केन्द्रीय सरकार श्रीयोगिक अधिकारण कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-10-2000 को प्राप्त हुआ था।

[सं. एन-12012/140/92-श्राई-आर. (बी-III)/(बी-I)]

श्रज्य कुमार, डैस्ट्रिक्ट अधिकारी

New Delhi, the 25th October, 2000

S.O. 2506.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workmen, which was received by the Central Government on 24th October, 2000.

[No. 12012/149/92-I.R. (B-III)|(B-I)]  
AJAY KUMAR, Desk Officer

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 63 of 1992

#### PARTIES :

Employers in relation to the management of State Bank of India  
AND  
Their workmen.

#### PRESENT :

Mr. Justice B. P. Sharma, Presiding Officer.

#### APPEARANCE :

On behalf of Management—Mr. K. Ghosh,  
Deputy Manager (Law).  
On behalf of Workmen—None.

STATE : West Bengal. INDUSTRY : Banking.

#### AWARD

By Order No. L-12012/149/92-I.R. B-III|(B-I) dated 26-11-1992 the Central Government in exercise of its powers under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

“Whether Shri Subhas Choudhury Canteen Boy, is a workman of State Bank of India ? If so, whether the action of the management of State Bank of India Sardia branch for non-payment of wages to Shri Subhas Choudhury for the month of November and December 1990 and not regularising his services in the subordinate cadre of the bank is justified ? If not, to what relief the workman is entitled to ?”

2. When the case is called out today, none appears for the union even though the management is represented by its representative. On the last date also none appeared for the union. Representative of the management refers to his application filed on 29-8-2000 and states that since the Hon'ble Supreme Court Civil Appeals filed by the union challenging the Award passed by this Tribunal in a similar reference, namely, Reference No. 2 of 1992, this reference may also be disposed of in terms of that judgement. He also states that the union has lost interest in the case after the aforesaid judgement of the Hon'ble Supreme Court.

3. Since none appears for the union and no step is taken on its behalf to proceed with the case, it is

clear that after the above judgement of the Hon'ble Supreme Court, the union has lost its interest in the case.

4. In the circumstances, in the absence of any material for any decision in respect of the schedule under reference, this Tribunal has no other alternative but to dispose of the matter by passing a “No Dispute” Award.

5. A “No Dispute” Award is accordingly passed and the reference is disposed of.

Dated, Calcutta,

The 16th October, 2000.

B. P. SHARMA, Presiding Officer

नई दिल्ली, 25 अक्टूबर, 2000

का. आ. 2507—श्रीदौषिगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधताल के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निश्चिट श्रीदौषिगिक विवाद में केन्द्रीय सरकार श्रीदौषिगिक अधिकरण/श्रम व्यायालय कलकत्ता के पंचायत को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-10-2000 की प्राप्त हुआ था

[सं. एल-12012/216/91-आई.आर. (बी-III)|(बी-I)]  
अजय कुमार, डैस्क अधिकारी

New Delhi, the 25th October, 2000

S.O. 2507.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workmen, which was received by the Central Government on 24-10-2000.

[No. L-12012/2/216/91-I.R.(B-III)|(B-I)]  
AJAY KUMAR, Desk Officer

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 10 of 1992

#### PARTIES :

Employers in relation to the management of State Bank of India.

AND

Their Workmen

#### PRESENT :

Mr. Justice B. P. Sharma, Presiding Officer

#### APPEARANCE :

On behalf of Management—Mr. R. Kumar  
Assistant Manager (Law).

On behalf of Workmen—None.

STATE : West Bengal. INDUSTRY : Banking.

## AWARD

By Order No. L-12012/216/91-IR B. III dated 13-3-1992 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication:

"Whether Shri Gaya Prasad Roy, Canteen Boy, was the workman of the State Bank of India? If so, whether the State Bank of India management was justified in terminating the services of Shri Gaya Prasad Roy w.e.f. July 1988 and denying him pay and allowances at par with Class-IV staff while in service? If not, to what relief Shri Roy is entitled to?"

2. When the case is called out today, none appears for the union even though the management is represented by its representative. On the last date also none appeared for the union. Representative of the management prays for disposal of the reference in terms of the judgement of the Hon'ble Supreme Court reported in 2000 (I) LLJ 1441 in which a writ petition filed on behalf of the union challenging the Award passed by this Tribunal in a similar case has been dismissed. He also states that the union has lost all its interest in the matter after the said judgement.

3. Since none appears for the union and no step is taken on its behalf to proceed with the case, it is clear that after the above judgement of the Hon'ble Supreme Court, the union has lost its interests in the matter.

4. In the circumstances, in the absence of any material for any decision in respect of the schedule under reference, this Tribunal has no other alternative but to dispose of the matter by passing a "No Dispute" Award.

5. A "No Dispute" Award is accordingly passed and the reference is disposed of.

Dated, Calcutta,

The 16th October, 2000.

Sd/-

B. P. SHARMA, Presiding Officer

नई दिल्ली, 1 नवम्बर, 2000

का.आ. 2508—श्रीयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंडिया के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट श्रीयोगिक विवाद में श्रीयोगिक अधिकरण राउरकेला के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-10-2000 की प्राप्त हुआ था।

[सं.एल.-12012/02/96-आई.आर. (धी.-I)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 1st November, 2000

S.O. 2508.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the

Industrial Tribunal, Rourkela as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 31-10-2000.

[No. L-12012/02/96-IR(B-I)]

AJAY KUMAR, Desk Officer

## ANNEXURE

IN THE COURT OF PRESIDING OFFICER,  
INDUSTRIAL TRIBUNAL, ROURKELA  
Industrial Dispute Case No. 176/97(C)

Dated, the 12th September, 2000

## PRESENT :

Sri Alak Kumar Dutta,  
Presiding Officer,  
Industrial Tribunal,  
Rourkela.

## BETWEEN

The Branch Manager,  
State Bank of India,  
Udtnagar Branch,  
Rourkela, Dist. : Sundargarh ... 1st party.

## AND

Sri Prafulla Kumar Dash,  
C/o Sri Prakash Sahani, S.B.I.,  
Industrial Estate, Rourkela ... 2nd party.

## APPEARANCES :

For the 1st party—Sri F. C. Naik, Advocate,  
Sri S. C. Jena, Advocate.

For the 2nd party—Sri G. Pujhari, Advocate  
Sri C. R. Dash, Advocate.

## AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of section 10 of the I.D. Act, 1947 have referred the following disputes for adjudication vide No. L-12012/02/96-IR (B-I) dated 23-6-1997 :

"Whether the action of the management of SBI, Uditnagar Branch, Rourkela, Dist. Sundargarh terminating the services of Shri Prafulla Kumar Dash w.e.f. 23-6-95 was justified? If not, what relief the workman is entitled to?"

2. The case of the 2nd party in brief is as follows : The 2nd party was appointed as a temporary messenger in Uditnagar branch of S.B.I., Rourkela w.e.f. 1-2-86, receiving all the benefits of regular employees. Subsequently his salaries were reduced and benefits were withdrawn and was given daily wages of Rs. 19 which was subsequently enhanced to Rs. 30 which is much below the salary of a lowest paid employee. He was given assurance that he would be regularised in service. He demanded regularisation of service and pay at par with sub-staff. Being annoyed the 1st party

refused him employment from 23-6-95 which is illegal and unjustified. Hence prayer for reinstatement with full back wages.

3. In reply, the 1st party denies that the 2nd party was engaged as messenger. Its case is that he was engaged as a casual labourer for lifting coin box etc. for few hours in a day. He was receiving remuneration from Rs. 18 to Rs. 30 per day depending on the nature of work done and time taken for that job. His work was to lift cash box and coin box and was engaged for few hours. He did not work from 10 A.M. to 5 P.M. like other regular employees. He was receiving immediate payment on completion of entrusted work. As per the bipartite settlement dated 17-11-97 he was offered a chance for empanelment for future appointment. He was interviewed but was not found suitable. Hence prayer for rejecting the reference.

4. On the aforesaid analysis, following issues have been framed :

I. Whether the action of the management terminating the services of Sh. Prafulla Kumar Dash w.e.f. 23-6-95 was justified?

II. If not, what relief the workman is entitled to?

III. Whether the 2nd party is a workman or not under the 1st party management?

5. Issue No. I to III.—W.W. 1 is the 2nd party. He states that he was engaged as temporary messenger in the State Bank of India, Uditnagar Branch from 1-2-86 and continued as such till 23-6-95 whereafter his service was terminated without any notice. From 1-2-86 to 1-8-86 he received salary and other allowance and fringe benefits at par with regular employee. Then his wage was reduced to Rs. 19 per day for two years, then it was increased to Rs. 21 per day for one year whereafter it was increased to Rs. 30 per day till his date of termination. He was working in different shifts on rotation basis like clearing seat, savings and current account seat, government seat and in despatch section like a permanent messenger. He was stamping and keeping the pay in slips, cheques sorting the schedule, listing the tokens and was taking the tokens alongwith pay bills to the treasury. He was working as cash cooli Bhimsen Swain who retired in the year 1994. In his absence at times he was being directed to carry cash box to the strong room. He never received any notice regarding reduction of his wages. He claims that he was continuously working from the date of his engagement till his service was terminated. He proves the certificate, Ext. 1 given by Dy. Branch Inspector. Ext. 2 is another certificate given by Branch Manager that he worked for 147 days between May '87 to December '87, 297 days between January '88 to December '88, 277 days between January '89 to December '89, 291 days between January '90 to December '90 and 202 days between January '91 to August '91. He approached the Branch Manager several times and on the last date on 23-6-95 to enhance his wages at par with regular employee and on that date his service was terminated. He claims that S. K. Samal, Arjun Sethi and another persons who were working as temporary messenger in S.B.I. Rourkela were juniors to him were made permanent. He was not paid any retrenchment compensation. He denies that he was engaged as a cash

coolie to carry the cash box to the strong room only at times of need. He admits that in the year 1991 he faced an interview for employment of his name for further permanent employment in S.B.I. Only temporary messenger faced that interview, Sanatan Naik, S. K. Samal, Arjun Sethi did not appear in that interview in the year 1991 but attend such interview one year later. They were selected and were empaneled for permanent employment. He does not know if he was selected in that interview for empanelment of his name for permanent employment. He does not know if there was bipartite settlement on 17-11-87 between the management of S.B.I. and their workers union where the conditions under which a temporary employee working under S.B.I. can be made permanent have been laid down. W.W. 2 is Bhima Swain who states that he was working as cash cooli in S.B.I., Uditnagar branch from 1966 to 28-2-95 when he was superannuated. The 2nd party was working as messenger in that branch in the year 1995 and continued to work as such till he was super-annuated and thereafter. The 2nd party never worked with him as cash cooli. He was attending the office at 9.30 A.M. and returning back at about 7 P.M. He was working like permanent messenger in the bank.

6. M.W. 1 states that the 2nd party was engaged as cash cooli in loading and unloading cash box in Uditnagar branch as it is a cash currency chest branch of R.B.I. He was a temporary cooli. Swain was a regular cash cooli. The 2nd party being not a regular employee was not signing the attendance register. He was not giving any leave application for remaining absent from duty. He was receiving pay on daily wage basis at the end of the month. He never worked as messenger. After 23-6-95 he was no more engaged in the bank as a temporary cooli. He states that some names have been empanelled for regular appointment in the bank after facing interview and the name of the 2nd party was not there in that list. He denies the suggestion that the 2nd party was engaged in different account section, stamping, keeping the pay in slips, cheques, sorting the schedule, listing the tokens and going to treasury. The branch was engaging daily wage cooli 20 to 25 days at the maximum and 8 to 10 days at the minimum in a month. He denies that the bank was utilising the service of the 2nd party regularly. M.W. 2 also states that the 2nd party was working as cash cooli on daily wage basis in the Uditnagar branch. Since he was a casual labourer he was not issued any appointment order. There was a bipartite agreement in 1987 between workmen's union and the management and as such by that agreement sub staff of the bank is recruited. No interview for such recruitment was conducted during his tenure. So the 2nd party was never recruited during his tenure there from 1986 to 1990. The 2nd party was working as casual labourer as and when required and not giving attendance like regular staffs. He was receiving his wages daily. He was not engaged from 10 A.M. to 5 P.M. like regular staff. He admits that the book of accounts maintained by the bank will show the expenses incurred by the bank towards salary of the regular staff, payment to daily labourers etc. He states that the 2nd Party was not getting fixed wages on each day but his wages was calculated as per the number of hours he worked on that day. So his daily wage was varying every day.

M.W.3 states that till 1988 persons were working in the bank as temporary staff. Then as per bipartite settlement dated 27-10-88 reached between management and staff federation a formula was adopted for absorption of the temporary workers as permanent staff. That scheme was further extended in the agreement dt. 30-7-96. As per the agreement all the temporary workers were kept in three categories A, B & C depending upon their length of service and the period of service. The selection committee after conducting interview kept the temporary workers in three categories. Subsequently the person from these categories were being absorbed after sanction was received from the head office due to creation of vacancy. Before categorisation the empanelled workers were asked to file application within a particular period and those applicants were being called for the interview and categorised. The 2nd party workman also filed an application vide Ext. A. Some of the applicants filed application after the expiry date claiming that they did not know about the advertisement. So their applications were accepted and kept in a supplementary list and those applicants were also categorised as A, B and C. The 2nd party workman is one of such applicant and was placed in 'B' category of supplementary list. As per the order of head office all the persons from 'A' category were absorbed by 30-3-97 and from that date list of B and C category persons lapsed. None from this supplementary B category were absorbed. He admits that all the applications and connected papers regarding interview are available in the office. He denies the suggestion that the 2nd party filed the application within the stipulated time. He admits that agreement Ext. B & C do not fix any date line after which these list of temporary workman empanelled would lapse as after 31-3-97 but this was done as per the order of the head office.

7. The learned representative of the 2nd party submits that as per the certificate Ext. 1 issued by Branch Manager of the bank, the 2nd party has completed more than 240 days of work in number of years and he has also worked for more than 240 days within in the year 1995. From Ext. 3, it is clear that he has also worked for more than 240 days within the preceding 12 months before termination. He argues that the management has not proved by filing documents that the contents of Ext. 3 are false though all vouchers are with the bank. Therefore on his termination he should have been given compensation as per section 25-F of the Act and for violation of the same, the termination is illegal and he should be reinstated with back wages. He further submits that as per the agreement with federation of bank employees on 17-11-87 empanelment of daily wagers was prepared and 2nd party's name was there in the list 'B' category. So his termination without any grounds is also illegal. In reply, the learned representative of the management submits that though the 2nd party was empanelled for regularisation in service yet before his regularisation the panel ceased to be operative w.e.f. 31-3-97. So the question of regularisation does not arise thereafter. In support of his such contention he invites my attention to the decision reported in 86(98)-C.L.T.-834 (Abhimanyu Mandal and others Vs. State Bank of India and others).

8. Admittedly the 2nd party was working in the bank as daily wagers since 1986. The certificate Ext. 1 supports this claim of the 2nd party. As per Ext. 2, he has worked for 147 days in the year 1987, 297 days in 1988, 277 days in 1989, 291 days in 1990, 202 days in 1991 (from January to August). In Ext. 3, the total amount paid to the 2nd party in each month with cheque number and date of issue has been mentioned. No step has been taken by the concerned bank to prove that these cheques are false or amounts under these cheques have not been paid to the 2nd party. During 1994, his daily wage was Rs. 30. Calculating the amount paid in each month starting from April '94 to March '95 at this rate (Rs. 30) per day, the 2nd party is found to have worked for 263 days in that year. That means, during the preceding 12 months he has worked for more than 240 days.

9. Admittedly his name was empanelled and was placed in 'B' category. By virtue of subsequent settlement dt. 30-7-96 entered into between Bank of All India Staff Federation under the provisions of Industrial Disputes Act, 1947 both the panels of temporary employees and daily wage/casual employees were to be kept alive up to 31-3-97 for filling up the vacancies existing or arising as on 31-12-94, as per the norms agreed upon between the bank and the federation as per para-4 of the referred judgement. That means that list lapsed after 31-3-97. Those who could not be regularised prior to this date lost further chance. M.W.3 states that 2nd party was placed in 'B' category of the list (this has not been denied by the 2nd party). He states that the head office gave order that by 30-3-97 all the persons of category 'A' should be absorbed if there were posts. By 30-3-97 all the 'A' category persons were absorbed and from that day the list of B and C category persons lapsed and none from 'B' category list was absorbed.

10. The 2nd party's service was terminated w.e.f. 30-6-95. Had he continued then he would have continued as daily wager without regularisation in service till 30-3-97. After which he would have lost the job and till 30-3-97 the question of regularisation in service does not arise, as none from that list of 'B' category has been absorbed. But though the 2nd party had completed 240 days of work in preceding 12 months he was removed from service without giving any compensation as provided under section 25-F. Had he continued in work, then he would have been automatically removed on 30-3-97. This removal from service in 1995 without paying compensation is illegal. But under the circumstances as discussed above he would not have continued in service after 30-3-97 and his service would not have been regularised. Hence, ordered that the reference is maintainable. The 2nd party is to get back his wages from the date of termination till 30-3-97 and he is also to get further amount of Rs. 15,000 for violation of section 25-F of the Act by the management. Accordingly the reference is answered.

Dictated and corrected by me.  
Dt. 12-9-2000.

ALAK KUMAR DUTTA, Presiding Officer

नई दिल्ली, 3 नवम्बर, 2000

का.आ. 2509.—प्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट प्रौद्योगिक विवाद में केन्द्रीय सरकार प्रौद्योगिक अधिकरण कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-11-2000 प्राप्त हुआ था।

[सं.एल.-12011/3/92-आईआर.बी III/(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 3rd November, 2000

S.O. 2509.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 2-11-2000.

[No. L-12011/3/92-IR. B. III|(B-I)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 18 of 1992

#### PARTIES :

Employers in relation to the management of State Bank of India.

AND

Their Workmen.

#### PRESENT :

Mr. Justice B. P. Sharma, Presiding Officer.

#### APPEARANCES :

On behalf of Management—None.

On behalf of Workman—None.

STATE : West Bengal. INDUSTRY : Banking.

#### AWARD

By Order No. L-12011/3/92-IR. B-III dated 20th April, 1992 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

“Whether Sk. Usmanuddin, Canteen Boy, was a workman of the State Bank of India ? If so, whether the action of the management of State Bank of India in not regularising the services of Sk. Usmanuddin was justified ? If not, to what relief Sk. Usmanuddin is entitled to ?”

2. When the case is called out today, none appears for either of the parties. On the last occasion also none appeared for the parties. Mr. K. Ghosh, Deputy

Manager (Law) of the Bank who is however present in the Tribunal states that after the judgement of the Hon'ble Supreme Court in Civil Appeals Nos. 552-553 of 1994 with Civil Appeal No. 2691, of 2000 in which the prayer of the union challenging the Award passed by this Tribunal in a similar case has been dismissed, the union lost all its interests in the matter.

3. Since none appears for the parties and no step is taken on their behalf to proceed with the case, it is clear that after the above judgement of the Hon'ble Supreme Court, the parties have lost their interest in the matter.

4. In the circumstances, in the absence of any material for any decision in respect of the schedule under reference, this Tribunal has no other alternative but to dispose of the matter by passing a “No Dispute” Award.

5. A “No Dispute” Award is accordingly passed and the reference is disposed of.

Dated, Calcutta,

The 23rd October, 2000.

B. P. SHARMA, Presiding Officer

नई दिल्ली, 3 नवम्बर, 2000

का.आ. 2510.—प्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट प्रौद्योगिक विवाद में केन्द्रीय सरकार प्रौद्योगिक अधिकरण, कलकत्ता के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को 2-11-2000 प्राप्त हुआ था।

[सं. एल.-12011/9/92-आईआर.बी-III (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 3rd November, 2000

S.O. 2510.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 2-11-2000.

[No. L-12011/9/92-IR. B-III(B-I)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 36 of 1992

#### PARTIES :

Employers in relation to the management of State Bank of India.

AND

Their Workmen

PRESENT:

Mr. Justice B. P. Sharma, Presiding Officer.

APPEARANCES:

On behalf of Management—Mr. K. Ghosh, Deputy Manager (Law) of the Bank.

On behalf of Workmen—None.

STATE : West Bengal. INDUSTRY : Banking.

## AWARD

By Order No. L-12011/9/92-I.R. B.III dated 1-6-92 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether Shri Swapan Chabri, Canteen Boy, is a workman of State Bank of India? If so, whether the action of the management of State Bank of India, in not regularising the services of Shri Chabri in the grade applicable to Class IV staff is justified? If not, to what relief Shri Chabri is entitled to?"

2. When the case is called out today, none appears for the union even though the management is represented by its representative. On the last occasion also none appeared for the union. Representative of the management refers to his application filed on 5th September, 2000 and states that since the Hon'ble Supreme Court dismissed the application filed by the union challenging the Award passed by this Tribunal in a similar reference, namely, Reference No. 2 of 1992, this reference may also be disposed of in terms of the said judgement. He also states that the union has lost its interest in the case after the aforesaid judgement of the Hon'ble Supreme Court.

3. Since none appears for the union and no step is taken on its behalf to proceed with the case, it is clear that after the above judgement of the Hon'ble Supreme Court, the union has lost its interests in the case.

4. In the circumstances, in the absence of any material for any decision in respect of the schedule under reference, this Tribunal has no other alternative but to dispose of the matter by passing a "No Dispute" Award.

5. A "No Dispute" Award is accordingly passed and the reference is disposed of.

Dated, Calcutta,  
The 23rd October, 2000.

B. P. SHARMA, Presiding Officer

नई दिल्ली, 25 अक्टूबर, 2000

का. नं. 2511.—प्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार प्रौद्योगिक डाकघर, टॉक के प्रबंधतात्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में मिरिट प्रौद्योगिक विवाद में प्रौद्योगिक अधिकरण, कोटा के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-10-2000 को प्राप्त हुआ था।

[सं. एल-40011/6/94-आई. भार. (डी. यू.)]

कुलदीप राय बर्मा, डैस्क प्रधिकारी

New Delhi, the 25th October, 2000

S.O. 2511.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal Kota as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Supdt. of Post Offices, Tonk and their workman, which was received by the Central Government on 25-10-2000.

[No. L-40011/6/94-IR(DU)]

KULDIP RAI VERMA, Desk Officer

अनुबंध

न्यायालीण, प्रौद्योगिक व्यायाधिकरण/केन्द्रीय/कोटा/राजस्थान

पीठासीन अधिकारी श्री महेश सन्देश भगवती, भार. एच. जी.एम. निवेंग प्रकरण क्रमांक औ. न्या. केन्द्रीय 8-95  
दिनांक स्थापित 12-5-95

प्रसंग: भारत सरकार श्रम मंत्रालय नई दिल्ली के आवेदन संख्या एल-40011/6/94/आई. भार. (डी. यू.)  
दि. 5-5-95

निवेंग अन्तर्गत भारा 10(1)(घ) उपधारा (2-क)  
प्रौद्योगिक विवाद अधिनियम, 1947

मृद्य

1—प्ररविन्द कुमार शर्मा पुत्र श्री राजमल निवासी जलोदा तह. केशोरायपाटन, जिला बूंदी।

2—भगवान प्रसाद पुत्र श्री रामरसी लाल निवासी बूर बूंदी, जिला बूंदी।

—प्रार्थीगण श्रमिक

एवं

अधीक्षक, डाकघर टॉक डिविजन/टोक/राजस्थान

—प्रार्थी नियोजक  
उपस्थिति

प्रार्थीगण दोनों की ओर से प्रतिनिधि क्रमण :

1. श्री एस. एन. गुप्ता एवं
2. श्री आर. एम. शर्मा

प्रार्थी नियोजक की ओर से प्रतिनिधि :—

श्री सी. बी. सोरेन

अधिनियम दिनांक 21-9-2000

अधिनियम

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा निम्न निर्देश अपने उक्त प्रासंगिक आवेदन दिनांक 5-5-95 के द्वारा प्रौद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरान्त "अधिनियम" से सम्बोधित किया जायेगा की धारा 10(1)(घ) व उपधारा (2-क) के अन्तर्गत इस न्यायाधिकरण को अधिनियमार्थ सम्प्रेषित किया गया है :—

"Whether the action of the management of the Supdt. of Post Office Tonk Division, Tonk (Rajasthan) in

terminating the services of Shri Arvind Kumar Sharma S/o Rajmel and Bhagwan Prasad Sharma S/o Shri Gyarsi Lal w.e.f. 4-7-1992 and 20-12-1992 respectively is proper legal and justified? If not, to what relief the workman is entitled to?"

2. निर्देश विवाद अनुप्रवृत्ति इस न्यायाधिकरण से प्राप्त होने पर पंजीकृत उपरान्त पक्षकारों को सूचना जरिये नोटिस भेजी गयी। प्रार्थी श्रमिक अरविन्द कुमार शर्मा एवं भगवान प्रसाद द्वारा पृथक-पृथक क्लेम स्टेटमेंट तथा अधीक्षक डाकघर टॉक, जिला टॉक, (जिसे तदुपरान्त "अप्रार्थी नियोजक" से सम्बन्धित किया जावेगा) द्वारा भी पृथक-पृथक प्रत्युत्तर प्रस्तुत किये गये प्रार्थी अरविन्द कुमार शर्मा को और से अपने प्रस्तुत क्लेम स्टेटमेंट में एक अन्य, निरीक्षक, डाक विभाग, पोस्ट औफिस बूंदी को भी अप्रार्थी के रूप में अंकित किया गया है। प्रार्थीगण श्रमिक अरविन्द कुमार शर्मा एवं भगवान प्रसाद दोनों ने स्वयं के शपथ-पत्र प्रस्तुत किये, इनके प्रत्युत्तर में अत्रार्थीगण नियोजक की ओर से कल्याणमल सैनी, डाक अधिदर्शक, बूंदी, हेमराज राठोड तत्कालीन निरीक्षक, डाकघर बूंदी तथा पृष्ठाराम शर्मा हाल अधीक्षक, डाकघर टॉक, के शपथ-पत्र प्रस्तुत किये गये। इन सभी साक्षीगण से सम्बन्धित विद्वान प्रतिनिधि द्वारा प्रतिपरीक्षा की गयी।

3. उभयपक्ष को बहुस श्वेष की गयी तथा अभिलेख पर ग्राह्य साक्ष्य का परिणीतन किया गया।

4. प्रार्थी श्रमिक अरविन्द कुमार शर्मा ने पक्ष कथन किया है कि उसने ग्राम जलोदा में अप्रार्थीगण की अधीनस्थ शाखा ग्राम जलोदा तह के पाटन जिला बूंदी में बी.पी.एम. व ई.डी.एम.सी. के पद पर दिनांक 15-10-90 से 4-12-91 एवं इसके उपरान्त 13-5-92 से 3-7-92 तक निरन्तर कार्य किया था जिसकी अप्रार्थीगण द्वारा सराहना की गयी। अप्रार्थीगण ने उसे एक माह का नोटिस अवधा नोटिस वेतन दिये बिना अकारण दि. 3-7-92 को कार्य से रोककर सेवा मुक्त कर दिया गया एवं उसके स्थान पर अन्य व्यक्ति को कार्य पर लगा दिया गया। उसका यह भी कथन है कि अप्रार्थीगण ने अधिनियम की धारा 25-एफ, जी, एच एवं आई के प्रावधानों की भी अनुपालना नहीं की है। अतः उसे पुनः सेवा पर लिये जाने का अदेश पारित किया जाये एवं दिनांक 3-7-92 से सेवा पर लिये जाने तक का वेतन मय लाभांश के अप्रार्थीगण से दिलवाया जावे।

5. इसी प्रकार दूसरे प्रार्थी श्रमिक भगवान प्रसाद ने यह पक्ष कथन किया है कि अप्रार्थीगण ने उसे विद्वान 28-4-92 को बोरबाणी गांव में एक अतिरिक्त विभागीय शाखा डाकघर खोले जाने पर डाकपाल के पद पर नियुक्त किया था तथा दि. 28-4-92 से 28-12-93 तक शाखा डाकपाल के पद पर अप्रार्थी अधीक्षक, डाकघर टॉक के अधीन 240 दिन से अधिक समय तक कार्य किया था। अप्रार्थीगण द्वारा उसे अकारण दि. 28-12-93 से सेवा में पृथक कर दिया गया, जबकि अप्रार्थीगण ने प्रार्थी को सेवा में पृथक किये जाने के समय न तो बरिष्टना सूची का प्रकाशन किया, ना ही अन्य नियमों की अनुपालना की और उसके स्थान पर एक अन्य व्यक्ति

रमेश चन्द्र शर्मा को नियोजन में रख लिया गया। अतः उसे सेवा से पृथक किये जाने की तिथि से पुनः समस्त पक्ष लाभों सहित निरन्तर सेवा में मानते हुए अदेश पारित किया जावे।

6. प्रार्थी अरविन्द कुमार शर्मा के सम्बन्ध में अप्रार्थीगण ने यह कथन किया है कि राजमल पंचोली शाखा डाकपाल जलोदा (कापरेम) में अपने स्थान पर अपने पुनः अरविन्द कुमार शर्मा (प्रार्थी) को स्वेच्छा से नियुक्त कर दिया और अरविन्द कुमार शर्मा ने राजमल पंचोली के एवज में दिनांक 15-10-90 से 4-12-91 तक कार्य किया। राजमल पंचोली बिना पूर्व अनुमति के 180 दिन से अधिक अनुपस्थित रहा जिसके परिणामस्वरूप नियम 8 के अन्तर्गत जांच कर उसे दिनांक 24-4-82 से सेवा से निष्कर्षित कर दिया गया। उनका यह भी पक्ष कथन है कि अरविन्द कुमार शर्मा प्रार्थी को उसके द्वारा कोई नियमित नियुक्त नहीं दी गयी। मुख्य रूप से अप्रार्थीगण का यह पक्ष कथन है कि प्रार्थी अरविन्द कुमार शर्मा का मामला अधिवोगिक विवाद अधिनियम, 1947 के अन्तर्गत नहीं आता है, अतः उसे अधिनियम के अन्तर्गत कार्यरत "कर्मकार (श्रमिक)" होना नहीं माना जा सकता। ठीक इसी प्रकार का पक्ष कथन अप्रार्थीगण ने दूसरे प्रार्थी भगवान प्रसाद के सम्बन्ध में किया है।

7. दोनों पक्षों ने मेरे समक्ष विस्तृत बहस की है, किन्तु अप्रार्थीगण के विद्वान प्रतिनिधि ने यह बलील पेशकारी है कि पोस्टल एण्ड टेलीकम्युनिकेशन डिपार्टमेंट, अधिनियम में परिभावित "उद्योग" की परिभाषा में नहीं आता है, अतः प्रार्थीगण के सम्बन्ध में ओ.वि. अधिनियम, 1947 के प्रावधान उन्हें पुनः सेवा में लिये जाने के सम्बन्ध में लागू नहीं होते हैं। उन्होंने अपने हस तकांसमर्थन में मानकीय उच्चतम न्यायपाल के न्यायवृष्टान्त "1996 सेल आई.सी. 1059 सब डिविजनल इन्सपेक्टर आफ पोस्ट बैयूकम में अन्य बनाम धैयम जोसेफ आदि" को उद्धृत किया है।

8. इसके प्रत्युत्तर में प्रार्थीपक्ष के विद्वान प्रतिनिधि श्री एस.एन.गुप्ता ने मेरा ध्यान केवल अतिरिक्त विभागीय ऐजेन्ट व्यवस्था के अन्तर्गत बने नियमों की ओर अधिकृत किया है और बलील पेश की है कि प्रार्थीगण अरविन्द कुमार शर्मा एवं भगवान प्रसाद ईलीड कण्डकुल एवं सर्विस रूस के नियम 2 के अन्तर्गत अतिरिक्त विभागीय ऐजेन्ट में परिभावित किसी भी वर्ग में नहीं आते हैं। उनका यह भी कहना है कि अप्रार्थीगण के विद्वान प्रतिनिधि श्री सी.वी.सोरेल का इस परिषेक्ष्य में रहा तर्क स्वीकार किये जाने योग्य नहीं और सन्हें अधिनियम के अन्तर्गत "कर्मकार" मानकर उनके पक्ष में हस्तांत मामले का अधिनियम पारित किया जावे।

9. हस्तगत मामले में मुख्य प्रश्न अवधारणार्थ जो उदित होता है वह यह है कि क्या पोस्टल एण्ड टेलीकम्युनिकेशन डिपार्टमेंट, अधिनियम में परिभावित एक "उद्योग"

है एवं द्वा प्रार्थिण अधिनियम के अन्तर्गत दी गयी “कर्मकार” की परिभाषा से शासित होते हैं ?

10. इस परिवेश में मैंने अप्रार्थिण के विवाद अधिनियम श्री सोरल द्वारा उद्दृत न्यायदृष्टान्त “1996 लेब. आई. सी. 1059 (जोसेफ)” के मामले में माननीय उच्चतम न्यायालय द्वारा पारित निर्णय का सम्मान पठन किया । माननीय उच्चतम न्यायालय ने इस निर्णय में यह सम्प्रेषण किया है कि सार्वजनिक राज्य के अनेक सम्बंधियों में से उक्ता एक प्रमुख कसंघ सामान्य-जन को टेलीकम्प्लिकेशन सेवा उपलब्ध कराता है । अतः लोक-कल्याण हेतु किये एवं कार्यों के लिए गठित पोस्टल एण्ड टेली-ट्रॉफिकेशन हिपार्टमेन्ट “उद्योग” की परिभाषा में नहीं जाता । माननीय उच्चतम न्यायालय ने अपने निर्णय के विरा 11 में “कर्मकार” की व्याख्या करते हुए सम्प्रेषण किया है कि पोस्टल विभाग में कार्यरत अतिरिक्त विभागीय कर्मकारीगण, अतिरिक्त विभागीय स्टाफ हेतु बनाये गये विभाग नियमों के साम-III से शासित होते हैं और ऐसे अतिरिक्त विभागीय ऐजेन्ट्स, विविल सर्वेन्ट्स कहे जाते हैं तथा उन्हें श्रीवर्षीय विवाद अधिनियम, 1947 के अन्तर्गत कर्मकार श्री दी. गांधी परिभाषा के अन्तर्गत “कर्मकार” नहीं कहा जा सकता । इसी कारण श्री. वि. अधिनियम, 1947 के अन्तर्गत श्रमिकों/कर्मकार के कल्याण हेतु बनाये गये अन्य प्रावधान भी अतिरिक्त विभागीय ऐजेन्टों पर लागू नहीं होते । माननीय उच्चतम न्यायालय की राय पूर्णरूपेण स्पष्ट एवं अतिरिक्त विभागीय ऐजेन्ट्स हेतु बनाये गये विभागों के संबंध अनुकूल है । अतः अरविन्द कुमार शर्मा प्रार्थी को श्री सोरल के तकों के परिवेश में श्रीवर्षीय विवाद अधिनियम, 1947 के अन्तर्गत “कर्मकार” होना स्वीकार महीने किया जा सकता और उस पर इस अधिनियम के प्रावधान लागू महीने होते ।

11. दूसरे प्रार्थी भगवान प्रसाद के सम्बन्ध में माननीय ने अपने जवाब के विरा 1 में यह स्पष्ट कहा है कि दि. 28-4-92 को बोरखण्डी भाषण में एक नया अतिरिक्त विभागीय शास्त्रा डाकघर खोला गया था और उसमें भगवान प्रसाद प्रार्थी को उसके प्रार्थना-पत्र पर श्रोत्रियांस त्वेर पर अतिरिक्त विभागीय णाखा-डाकघर के पद पर लगाया गया था । उनका यह भी कथन है कि भारतव्रह्ण आजे त्रिपोर्ट दिनांक 28-4-92 में भी स्पष्ट रूप से “श्रोत्रीजनन” शब्द सिखा हुआ है । जब विवाद द्वारा नियमित नियुक्तियां की गयी तो प्रार्थी भगवान प्रसाद ने भी अपना प्रार्थना-पत्र दि. 16-6-92 को प्रस्तुत किया था, किन्तु इसके नाम पर कोई अचल सम्पत्ति नहीं पाये जाने पर, इसकी नियमित नियुक्ति नहीं की गयी । नियुक्ति इकिया सम्पूर्ण होने के पश्चात रमेश चन्द्र शर्मा का दि. 1-12-93 को चयन किया गया और भगवान प्रसाद के नाम पर कोई सम्पत्ति नहीं होने के कारण

इसका चयन नहीं किया गया । भगवान प्रसाद प्रार्थी ने प्रतिपरीक्षा में भी यह स्वीकार किया है कि “यह सही है कि नियमित नियुक्ति की जब प्रक्रिया चल रही थी तब उसे दि. 28-4-92 से 27-10-92 तक श्रोत्रीजनन नियुक्त किया गया था । यह सही है कि मेरे नाम की अचल सम्पत्ति नहीं थी ।” प्रतिपरीक्षा के अन्त में उसने यह पुनः स्वीकार किया है कि नियुक्ति के समय उसके पास कोई अचल सम्पत्ति नहीं थी । इस सम्बन्ध में “यूनियन आफ इण्डिया एवं अन्य बनाम प्रेमचन्द्र एवं अन्य (सिविल रिंग पिट नम्बर 15356/1997)” के मामले में माननीय पंजाब एवं हरियाणा उच्च न्यायालय के माननीय न्यायधिपति श्री जी. एस. सिध्धी ने अपने निर्णय में यह सम्प्रेषण किया है कि ईडीएसपीएम को नियुक्ति के लिए भारत सरकार ने जो सम्पत्ति की योग्यता निर्धारित की है वह योग्यता प्रार्थी द्वारा पूर्ण किये जाने की योग्यता का एक आवश्यक अंग है तथा भारत सरकार द्वारा निर्धारित सम्पत्ति की योग्यता प्रार्थी के लिए पूर्ण किया जाना आवश्यक है, निरेशास्त्रम की नहीं औं कि हस्तगत मामले में भी प्रार्थी भगवान प्रसाद में अचल सम्पत्ति की योग्यता पूर्ण नहीं की है और उसने स्वयं ने यह स्वीकार किया है कि उसके पास स्वयं की कोई निजी अचल सम्पत्ति नहीं थी, अतः प्रप्रार्थिण ने यदि चयन प्रक्रिया के उपरान्त प्रार्थी भगवान प्रसाद को नियुक्ति नहीं दी तो प्रप्रार्थिण ने इस सम्बन्ध में कोई अवैध, पूर्ण एवं अनियमित कार्य नहीं किया । मैं माननीय उच्चतम न्यायालय द्वारा उपयुक्त उद्दृत न्यायदृष्टान्त “1996 लेब आई.सी. 1059 (जोसेफ)” में प्रतिपादित श्रमित का अनुसरण करने के लिए बाध्य हूं । माननीय उच्चतम न्यायालय द्वारा प्रतिपादित यह श्रमित व्रतमात्र में भी प्रभावी है । इस निर्णय की रोशनी में प्रार्थिण भगवान प्रसाद एवं अरविन्द कुमार शर्मा को “कर्मकार” होना स्वीकार नहीं किया जा सकता, बस्तुतः ये अनिरिक्त विभागीय ऐजेन्ट की श्रेणी में आते हैं जो कि लोक-सेवक हैं और ऐसे लोक-सेवकों पर औद्योगिक विवाद अधिनियम, 1947 के प्रावधान लागू नहीं होते हैं । अतः प्रप्रार्थिण उक्त दोनों इस न्यायधिकरण में कोई लाभ प्राप्त करने के अधिकारी होना नहीं पाया जाये है ।

12. अतः उक्त सम्पूर्ण विवेचन के आधार पर भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा सम्मेलित तिर्देश विवाद को प्रार्थिण श्रमिक के विशद एवं अप्रार्थिण के पक्ष में इस प्रकार निर्णय किया जाता है कि प्रार्थिण अरविन्द कुमार शर्मा एवं भगवान प्रसाद शर्मा दोनों औद्योगिक विवाद अधिनियम, 1947 के अन्तर्गत परिभाषित “कर्मकार” की परिभाषा में नहीं आते हैं, अपितु माननीय उच्चतम न्यायालय के उपयुक्त उद्दृत निर्णय की रोशनी में लोक सेवक होना साधित हुए हैं, अतः वे इस न्यायधिकरण से अधिनियम के प्रावधानान्तर्गत कोई लाभ प्राप्त करने के अधिकारी नहीं हैं । औं कि प्रार्थिण के लोक सेवक प्रमाणित होने पर इस न्यायधिकरण को प्रार्थिण के मामले को शब्दण कर निर्णय किये जाने का श्रेवाधिकार प्राप्त नहीं रहा, है, अतः भारत सरकार, श्रम मंत्रालय द्वारा सम्मेलित तिर्देश विवाद उपरोक्तामार्ग निर्णीत किया जाता है ।

इस अधिनियम को समूचित सरकार को नियमानुसार प्रकाशनार्थ भिजवाया जावे ।

अधिनियम आज दिनांक 21-9-2000 को लूपे न्यायाधिकरण में सुनाया गया ।

महेश चन्द्र भगवती, न्यायाधीश

नई दिल्ली, 25 अक्टूबर, 2000

का. आ. 2512.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की भारा 17 के अनुसरण में, केन्द्रीय सरकार प्रबंध अधीक्षक रेल डाक सेवा जयपुर के प्रबंधनतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच अनुबन्ध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण, जयपुर के पंचाट द्वारा प्रकाशित करती है, जो केन्द्रीय सरकार को 25-10-2000 को प्राप्त हुआ था।

[स. एल. 40012/106/98-प्राई. आर. (डी.पू.)]  
कुलदीप राय वर्मा, ईस्ट अधिकारी

New Delhi, the 25th October, 2000

S.O. 2512.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal Jaipur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Sr. Supdt. of Post Offices, R.M.S., Jaipur and their workmen, which was received by the Central Government on 25-10-2000.

[No. L-40012/106/98-IR(DU)]  
KULDIP RAI VERMA, Desk Officer

अनुबंध

केन्द्रीय सरकार ओद्योगिक अधिकरण एवं श्रम न्यायालय, जयपुर

प्रकरण संख्या : सी. आई. टी./जे-19/99

श्रावण संख्या : एल 40012/106/98-प्राई. आर. (डी.पू.)  
दि. 23/4/99

किशनलाल आत्मज श्री हुनीचन्द्र, निवासी 45/198, मोतीपथ, मानसरोवर, जयपुर (राजस्थान)

—प्रार्थी

वनाम

- मेम्बर (पर्सनल) पोस्टल सर्विसेज बोर्ड, भारत सरकार  
नई दिल्ली।
- डाईरेक्टर, पोस्टल सर्विसेज, जयपुर रीजन, जयपुर।
- प्रबंध अधीक्षक, रेल डाक सेवा "जे बी" मण्डल  
जयपुर 302001।

—अप्रार्थीगण

उपरिथित :—

प्रार्थी की ओर से

श्री मुरेन्द्र सिंह

अप्रार्थी की ओर से

श्री कमल नवन श्रीमल

पंचाट दिनांक 27-9-2000

पंचाट

केन्द्रीय सरकार के द्वारा उक्त आदेश के अन्तर्ये निम्न विवाद ओद्योगिक विवाद अधिनियम, 1947 (जिसे बाद में अधिनियम, 1947 कहा गया है) की भारा 10 की उपधारा (1) के खंड-ब के प्रावधानों के अन्तर्याम न्यायाधीशन हेतु निर्देशित किया गया है :—

"Whether the action of the Sr. Supdt. of Post Office, R.M.S. Jaipur of not providing desired documents and not calling the defence witnesses was appropriate? If not, to what relief the workman Shri Kishan Lal is entitled and from what date?"

प्रार्थी किशनलाल (जिसे बाद में प्रार्थी कहा गया है) के द्वारा स्टेटमेंट आफ ब्लेम प्रस्तुत किया गया, जिसमें उल्लेख किया गया कि वह "श्रमिक" है व अप्रार्थीगण 'नियोजक'। प्रार्थी को एक आरोप पत्र केन्द्रीय सिविल सेवा वर्गाधिकरण, नियम्बन एवं शपील नियम, 1965 (जिसे इसके बाद नियम, 1965 से सम्बोधित किया गया है) के नियम 14 के अन्तर्गत दिया गया, जिसमें निम्न आरोप लगाये गये :—

"श्री किशनलाल छंटाई सहायक विमांक 20-8-93 को रेल डाक सेवा जयपुर 2 ब्लैक 'ए' में 22.00 से 04.00 बजे तक जयपुर लेटर री.डी. छंटाई सहायक के पद पर कार्यरत था। प्रातः लगभग 3.30 बजे श्री किशनलाल के लाल रेगजीन के बैग की प्रधान छंटाई सहायक की टेक्सिल पर स्वयं द्वारा तलाशी देने पर उसके उपरोक्त बैग से 66 पत्र, जिनमें 14 लिफाफे, 17 अन्तर्राष्ट्रीय पत्र तथा 33 पोस्टकार्ड थे, ग्रनाधिकृत रूप से बरामद हुए। प्रतः श्री किशनलाल पर यह आरोप लगाया जाता है कि उसने उपरोक्त कृत्य कर, पूर्णतः इमानदार न होने का परिचय दिया तथा ऐसा कृत्य किया जो एक सरकारी कर्मचारी के लिए अवाक्षीय है। इस तरह उसने केन्द्रीय सिविल सेवा (आचरण) नियमावली, 1964 के नियम 3 (1) (1) एवं III का उल्लंघन किया।

प्रार्थी ने अपना लिखित उत्तर प्रस्तुत किया, जिसमें उसने उक्त आरोप को असत्य बताया व व्यक्ति विशेष को दुर्भावना के बड़ी तरह का परिणाम होना बताया। श्री जी. शार. मीणा को जांच अधिकारी नियुक्त किया गया। दिनांक 28-12-94 को प्रार्थी ने जांच अधिकारी के सबक्षण आवेदन प्रस्तुत किया, जिसमें उसने 8 प्रलेखों की प्रतिसिद्धि दिलाएँ जाने की प्रार्थना की। जांच अधिकारी ने प्रार्थना-पत्र में वर्णित प्रलेख क्रमांक 4 से 8 का निरीक्षण करका ने में इस आधार पर मता कर दिया कि उनकी कोई सुसंगतता नहीं है, जब कि उक्त प्रलेख धब्बाव के लिए अत्यन्त आवश्यक थे। जांच अधिकारी ने पी. एड टी. मैम्युल बोल्डूम-III के नियम 14 व भारत सरकार के नियम विमांक 25-8-1961 की पालना भी नहीं की, जिनके अनुसार प्रलेखों की सुसंगतता न होने के बारे में आवेदन दिया जाना आवश्यक था। प्राकृतिक न्याय के सिद्धान्तों की अवहेलना करते हुए प्रार्थी के विरुद्ध विभागीय

जांच की गई। उसने दिनांक 26-7-95 को 7 साक्षियों को बुलाये जाने के लिए लिखित में निवेदन किया। जांच अधिकारी ने रिपोर्ट दिनांक 16-2-1996 के अनुसार प्रार्थी पर लगाये गये आरोपों के लिये उसे दोषी माना, जिस बाबत उसने लिखित प्रतिवेदन प्रस्तुत किया, जिसमें उसने आपत्ति की कि जांच अधिकारी के द्वारा प्रस्तुत प्रलेखों का अवलोकन नहीं कराया गया। बनवारी लाल शर्मा द्वारा पूर्व में दी गई रिपोर्ट बचाव के लिए अत्यन्त महत्वपूर्ण थी। श्रीमती सरितासिंह तत्कालीन प्रबन्ध-अधीक्षक को साक्ष्य में नहीं बुलाया गया व इस प्रकार प्रार्थी को बचाव के उचित अवसर से बंचित रखा गया। प्रबन्ध-अधीक्षक, डाकघर उदयपुर मण्डल, उदयपुर ने ज्ञापन क्रमांक एफ/विविध/96 दिनांक 19-9-96 के द्वारा प्रार्थी को सेवामुक्त कर दिया, जिसके विश्वद्व प्रार्थी ने निदेशक, पोस्टल सर्विसेज जयपुर क्षेत्र जयपुर को दिनांक 31-10-1996 को एक विभागीय अपैल द्वारा प्रस्तुत की जो कार्यालय आदेश स्टाफ/ए/ 2/20/96-97 जे पी-डी एन विनांक 31-1-1997 के द्वारा निरस्त कर दी गई, जिसके विश्वद्व प्रार्थी ने रिभू याचिका मेम्बर (पर्सनल), पोस्टल सर्विसेज बोर्ड, यूनियन आफ इंडिया, नई दिल्ली को दिनांक 12-4-1997 को प्रस्तुत की, जिस पर कोई कार्यवाही नहीं की गई। प्रार्थीना की गई कि प्रार्थी की सेवानिवृत्ति का आदेश दिनांक 19-9-96 व अपील निरस्त करने का आदेश दिनांक 13-1-1997 को निरस्त करते हुए प्रार्थी को समस्त लाभ सहित बिना किसी अवशोष व हानि के मेवा में पदस्थापित किया जावे।

“अप्रार्थीगण की ओर से स्टेटमेंट आफ क्लेम का “जबाब प्रस्तुत किया गया, जिसमें प्रारम्भिक आपत्तियों में आपत्ति की गई कि न तो प्रार्थी “श्रीमिक” के तहत आता है व न अप्रार्थी संस्थान ‘उद्योग’ के तहत। यह भी आपत्ति की गई कि प्रार्थी के विश्वद्व नियम, 1965 के तहत विभागीय जांच की गई थी, जिसे इस अधिकरण के समक्ष चुनौती नहीं दी जा सकती। यह भी आपत्ति की गई, कि प्रार्थी के द्वारा प्रस्तुत रिभू याचिका विचाराधीन है औद्योगिक विवाद उन्नन नहीं होता। आगे उल्लेख किया गया कि प्रार्थी दिनांक 29-8-1993 को रेल डाक सेवा पारी/2 वैच में जयपुर नगर के पत्रों की छंटाई के लिए छंटाई सहायक के पत्र पर कार्यरत था। लगभग 00-00 बजे उसने जयपुर टी. डी. के कुछ पत्र अपने रेगजीन के लाल हैण्ड बैग में रख लिए। बनवारी लाल शर्मा, छंटाई सहायक जो उम समय प्रार्थी के पास ही पेपर मेल शाखा में कार्य कर रहा था, ने उक्त पत्रों को प्रार्थी द्वारा अपने बैग में रखते हुए देखा। पूछते पर प्रार्थी ने पत्रों को अपने रिस्टेदारों के होना बताया। बनवारी लाल बंगलिया जो कि उप प्रधान छंटाई सहायक के पद पर कार्यरक्त था को उसने इस बाबत बताया। कार्य में अस्त होने के कारण बंगलिया ने ध्यान नहीं दिया परन्तु बाद में ध्यान दिलाने पर बंगलिया ने रात्रि 3.00 बजे के लगभग रामचन्द्र मीणा अधीक्षक (मुख्यालय) रेल डाक

सेवा “जेपी” मण्डल जयपुर के निवास स्थान पर टेलीफोन द्वारा सूचित किया, जिस पर वे रात्रि के लगभग 3.30 बजे जयपुर मेल आफिस में आये तथा प्रार्थी से उपरोक्त रेगजीन बैग के बारे में जानकारी की। प्रार्थी के द्वारा बैग को अपना बताने पर, पारी के प्रधान छंटाई सहायक की मेज पर, श्रीमती की उपस्थिति में उक्त बैग को प्रार्थी में खुलाया जिसमें कुल 66 पत्र जो विभिन्न पतों के थे बरामद हुए, जिस बाबत बरामदगी मीमों तैयार किया गया। इस प्रकार जनता की डाक को प्रार्थी के द्वारा अनाधिकृत रूप से अपने हैण्ड बैग में रखा व उसने ऐसा कार्य किया जो एक सरकारी कर्मचारी द्वारा अवांछनीय है। प्रार्थी के प्रार्थना पत्र दिनांक 28-12-1994 जिसके द्वारा उसने 8 प्रलेखों की प्रतिलिपियां दिलाये जाने की प्रार्थना की थी, के बारे में उल्लेख किया गया था कि उसमें से 5 प्रलेख असंबंधित थे व शेष 3 प्रलेखों को प्रार्थी व उसके सहायक ने निरीक्षण कर लिया था, नोट बुक उपलब्ध नहीं थी व न है। एक नोट बुक के आधार पर दैनिक विवरणिका में प्रविष्टी की गई थी। दैनिक विवरणिका का अवलोकन प्रार्थी के द्वारा कर लिया गया था। प्रार्थी के प्रार्थना पत्र के क्रम संख्या-5 पर उल्लेख किया गया कि प्रलेख के बारे में रेल डाक सेवा “जे पी” मण्डल जयपुर का कार्य क्षेत्र पूरा डिविजन है। क्रम संख्या-6 पर दूर्ज किये गये प्रलेख के बारे में उल्लेख किया गया कि उक्त प्रलेख असंगत था और आरोप पत्र में इसका कोई हवाला नहीं दिया गया था। क्रम संख्या-7 पर दूर्ज प्रलेख प्रार्थी के बचाव के लिए सहायक नहीं था व प्रारम्भिक जांच रिपोर्ट की प्रति देना विभागीय नियमानुसार बांछनीय नहीं था। प्रार्थी ने बचाव हेतु 7 साक्षीगण को बुलाने का निवेदन किया था, जिसमें से 6 साक्षीगण का परीक्षण किया गया था। श्रीमति सरिता सिंह, तत्कालीन प्रबन्ध अधीक्षक, रेल डाक सेवा, “जेपी” मण्डल, जयपुर को 2 बार सम्मन जारी कर साक्ष्य हेतु तलब किया गया था। प्रार्थी को व उसके सहायक को पूछा गया था कि वे किस बिन्दु पर श्रीमति सरिता सिंह का बयान करना चाहते हैं तो प्रार्थी कुछ नहीं बता पाया। क्लेम में भी ऐसा उल्लेख नहीं किया कि श्रीमति सरिता सिंह के बयान की क्या सुसंगतता थी व उसका बचाव पर किस प्रकार प्रतिकूल प्रभाव पड़ा। श्रीमति सरिता सिंह प्रार्थी के कब्जे में जिस वक्त पत्र निकाले गए, उपस्थित नहीं थी।

श्रीमति सरिता सिंह को जांच कार्यवाही को लम्बा करने के लिए तलब किया गया था। प्रार्थी को बचाव का पूरा अवसर दिया गया था। यह भी उपरवा किया गया कि अधिकरण निर्वेश आदेश बुक ही विवाद पर निनार कर सकता है, इसके अतिरिक्त नहीं। यह भी उल्लेख किया गया कि प्रार्थी सरकारी कर्मचारी था व सरकारी कर्मचारी को सुलभ सस्ता न्याय देने के लिए केन्द्रीय प्रशासनिक अधिकरण की स्थापना मन् 1985 में की जा चुकी है। यह इस प्रकार इस अधिकरण को विवाद का श्रेय श्रवण ब्यक्तिमान नहीं है व निर्वेश शारिज किये जाने भी चाहिए है।

प्रार्थी ने प्रत्युत्तर प्रस्तुत कर उल्लेख किया कि वह "श्रमिक" की परिभाषा में आता है। बनवारी लाल शर्मा की प्रार्थी से रंजिश के कारण उसने प्रार्थी को छूटा फंसाया है। उसी ने प्रार्थी के बैग में जान-बूझकर पत्र रखे थे।

प्रार्थी की ओर से प्रार्थी का शपथ-पत्र प्रस्तुत किया गया, जिस पर प्रतिपरीक्षा करने का अवसर विषयी के अधिवक्ता को दिया गया। प्रार्थी की ओर से अनु-न्यासिक अधिकारी के द्वारा ज्ञापन दिनांक 19-9-96 की प्रतिलिपि प्रदर्श उद्घृत-1 व अधिकारी के मीमो दिनांक 13-1-1997 की प्रतिलिपि प्रदर्श उद्घृत-2 प्रस्तुत की। विषयीगण की ओर से श्रीमति जी. मधुमिता दास का शपथ-पत्र प्रस्तुत किया गया, जिस पर प्रतिपरीक्षा करने का अवसर प्रार्थी के अधिवक्ता को दिया गया। विषयी की ओर से जांच रिपोर्ट के बाबत रिकार्ड की फोटो प्रति प्रस्तुत की गई।

पक्षकारों के अधिवक्ताओं के तर्क सुने गये व पक्षवाली का अवलोकन किया गया। पक्षकारों के अधिवक्ताओं के द्वारा लिखित में भी तर्क प्रस्तुत किये गये।

अप्रार्थी के विद्वान अधिवक्ता के द्वारा प्रारम्भिक आपत्ति की गई है कि प्रार्थी सिविल पोल धारित करता था व दण्डादेश के लिये उसे संविधान की धारा 226 एवं एडमिनिस्ट्रेटिव ट्रिब्यूनल एक्ट, 1985 की धारा 19 के अन्तर्गत उपचार उपलब्ध था व इस अधिकारण को अधिनियम 1947 की धारा 10 के प्रावधानों के अन्तर्गत निर्देश पर न्यायनिर्णयन करने का कोई क्षेत्राधिकार प्राप्त नहीं है। उन्होंने अपने तर्क के समर्थन में ए. आई. आर. 1997 सुप्रीम कोर्ट पृष्ठ 2817 वांछे टेलीफोन केन्ट्रीन एम्पलाईज एसोसियेशन बनाम यूनियन ऑफ इंडिया को उद्धृत किया है। उस मामले में कर्मकार कारपोरेशन में सिविल पोस्ट धारित करते थे। यह अभिनिर्धारित किया गया कि वे अधिनियम 1947 की धारा 2-एस के प्रावधानों के अन्तर्गत "कर्मकार" नहीं थे व अधिनियम, 1947 की धारा 10 (1) के प्रावधानों के अन्तर्गत सेवा समाप्ति के बारे में उपचार उपलब्ध नहीं था। उन्हें संविधान के अनुच्छेद 226 व एडमिनिस्ट्रेटिव ट्रिब्यूनल एक्ट 1985 की धारा 19 के अन्तर्गत उपचार उपलब्ध था। 1998 एस. सी. सी. (एल एण्ड एस) 6 जनरल मैनेजर टेलीकॉम बनाम ए. श्रीनिवास राव व अन्य के मामले में माननीय उच्चतम न्यायालय की बृहद पीठ ने यह अभिनिर्धारित किया कि बॉम्बे टेलीफोन केन्ट्रीन एम्पलाईज एसोसियेशन के मामले में दिया गया निर्णय सही नहीं कहा जा सकता व भारत संघ के टेलीकॉम विभाग को उद्योग माना। हाल ही में उच्चतम न्यायालय ने ए. आई. आर. 2000 (4) एस. सी. 469 नेशनल इंजीनियरिंग लिमिटेड बनाम स्टेट ऑफ राजस्थान व अन्य के मामले में यह अभिनिर्धारित किया है कि अधिकारण की स्थापना अधिनियम के द्वारा की गई है व निर्देश के आधार पर उसे क्षेत्राधिकार प्राप्त होता है।

अधिकारण निर्देश की वैधानिकता के प्रश्न पर विचार नहीं कर सकता। इस प्रकार उच्चतम न्यायालय के उक्त मतों को दृष्टिगत रखते हुए अधिकारण को यह क्षेत्राधिकार प्राप्त नहीं है कि निर्देश की वैधानिकता के प्रश्न पर विचार करें। इस प्रकार अप्रार्थीगण के विद्वान अधिवक्ता का उक्त तर्क स्वीकार किये जाने योग्य नहीं है।

प्रार्थी के विद्वान अधिवक्ता ने तर्क दिया है कि प्रार्थी के द्वारा दिनांक 28-12-1994 को जो प्रार्थना-पत्र दस्तावेजों को उपलब्ध कराये जाने के बारे में जांच अधिकारी को दिया गया था, उनमें से प्रार्थना पत्र में यणित प्रलेख क्रम संख्या 4 से 8 प्रलेखों का निरीक्षण नहीं कराया गया। क्रम संख्या-4 में यणित प्रलेख "कच्ची नोट बुक" की प्रतिलिपि उपलब्ध नहीं कराई गई, जब कि उक्त प्रलेख जांच के लिए सुसंगत था। उनका यह भी तर्क है कि श्रीमति सरिता सिंह, तत्कालीन प्रवर अधीक्षक, रेल डाकसेवा को भार्य में नहीं बुलाया गया व इस प्रकार प्रार्थी को उचित बचाव करने से वंचित रखा गया जिसमें प्राकृतिक न्याय के सिद्धांतों का हनन हुआ। उन्होंने अपने तर्क के समर्थन में ए. आई. आर. 1936 सुप्रीम कोर्ट 2118 काशीनाथ दीक्षित बनाम यूनियन आफ इंडिया व 1967 एस.एल.आर. (सुप्रीम कोर्ट) पृष्ठ 759 तिलोकनाथ बनाम यूनियन आफ इंडिया को उद्धृत किया है। दूसरी ओर अप्रार्थी के विद्वान अधिवक्ता का तर्क है कि "कच्ची नोट बुक" उपलब्ध नहीं थी इस कारण उसकी प्रतिलिपि नहीं दी जा सकी व अत्य प्रस्तुत किये गये प्रलेख जो प्रार्थी को जांच के दौरान उपलब्ध नहीं कराये गये थे सुसंगत नहीं थे व उन्हें उपलब्ध न कराने से प्रार्थी के बचाव व उसके हितों पर कोई प्रतिकूल प्रभाव नहीं पड़ा है। उनका यह भी तर्क है कि किसी दस्तावेज को उपलब्ध न कराने मात्र में अवधारणा नहीं की जा सकती कि बचाव में यथाध्यान उत्पन्न हुआ है व यह प्रमाणित करने का भार प्रार्थी पर है कि किसी प्रलेख के उपलब्ध न कराने में उसके हितों पर प्रतिकूल प्रभाव पड़ा है। उनका यह भी तर्क है कि जांच अधिकारी को साक्षियों के तलब कराने के बारे में न्यायालय के समान अधिकार प्राप्त नहीं है व जांच अधिकारी किसी साक्षी को साक्षी हेतु उपस्थित होने के लिये बाध्य नहीं कर सकता है। उनका यह भी तर्क है कि श्रीमति सरिता सिंह किसी भी प्रकार से सुसंगत माक्षी नहीं थी। उसे जांच अधिकारी के द्वारा दो बार तलब भी किया गया था व ऐसा प्रतीत होने पर कि प्रार्थी के द्वारा जांच कार्यवाही को लम्बा किये जाने हेतु उक्त साक्षियों को अकारण तलब यित्या जा रहा था तो उसकी साक्षी बन्द कर दी गई। इस प्रकार प्रार्थी के हितों पर उक्त साक्षी के प्रस्तुत न होने से जांच पर कोई विपरीत प्रभाव नहीं पड़ा है। उन्होंने अपने तर्क के समर्थन में 1980 (40) एफ.एल.आर. 138 मैसर्स टनेरी एण्ड फुटवियर कारपोरेशन बनाम स्टेट आफ यू.पी. व अन्य ए.आई.आर. 1996 (एस.सी.) 1669 स्टेट बैंक आफ पटियाला बनाम एस.के.

गर्भा, ए. आई.आर. 1997 (एससी) 2148 भारतीय दस्तावेज रामसंबिकर बनाम स्टेट बैंक आफ महाराष्ट्र, ए.आई.आर. 1965 सुप्रीम कोर्ट पृष्ठ 155 टाटा ग्रीष्मन मिल्स बनाम बहूमेन ए.आई.आर. 1976 सुप्रीम कोर्ट पृष्ठ 2037 ग्रार.सी. शार्मा बनाम यनियन आफ इंडिया व अन्य को उद्धृत किया है।

ए.आई.आर. 1936 सुप्रीम कोर्ट पृष्ठ 2118 के मामले में ऐसे सक्षियों के कथनों की प्रतिलिपियां व प्रलेखों की प्रतिलिपि जिन पर कि प्रार्थी के द्वारा भरोसा किया गया अपचारी को उपलब्ध नहीं कराने से यह निष्कर्ष निकाला गया कि सरकार यह प्रकट करने में असफल रही है कि कर्मचारी के हितों पर विपरीत प्रभाव भी पड़ा। उक्त मामले में यह भी अभिनिर्धारित किया गया कि यह प्रत्येक मामले के तथ्यों पर निर्भर करता है कि किसी प्रलेख अधिका कथन की प्रतिलिपि उपलब्ध न कराये जाने से अपचारी के हितों पर विपरीत प्रभाव पड़ना है अथवा नहीं। 1967 एस.एल. ग्रार. पृष्ठ 759 के मामले में यह अभिनिर्धारित किया गया है कि जांच अधिकारी के द्वारा यदि ऐसे प्रलेखों पर भरोसा किया जाता है, जिनकी प्रतिलिपियां अपचारी को उपलब्ध नहीं कराई गई तो इसमें यह निष्कर्ष निकाला जाएगा कि अपचारी को बचाव का उपयुक्त अवसर नहीं मिला। 1980 (40) एफ.एल.ग्रार. पृष्ठ 138 के मामले में जांच रिपोर्ट की प्रतिलिपि कारण बतायी नोटिस के साथ उपलब्ध नहीं कराई गई। कारबिंग नोट जो कि विकायत के साथ संतुलन वा प्रतिलिपि उपलब्ध नहीं कराई व अपचारी को पूर्व का सारा रिकार्ड उपलब्ध नहीं कराया गया। निष्कर्ष निकाला गया कि जांच दूषित नहीं थी। ए.आई.आर. 1996 एस.सी. 1669 के मामले में यह अभिनिर्धारित किया गया है कि समस्त परिस्थितियों को दृष्टिगत रखते हुए यह विचार किया जाना आवश्यक होता है कि कर्मचारी को जांच में मुनवाई का उचित अवसर दिया गया या नहीं। ए.आई.आर. 1997 (सुप्रीम कोर्ट) पृष्ठ 2148 के मामले में यह अभिनिर्धारित किया गया कि प्रारम्भिक जांच का संबंध जांच से नहीं होता जो कि आरोप पत्र जारी करने के पहले की जाती है। ए.आई.आर. 1965 (एससी) पृष्ठ 155 के मामले में यह अभिनिर्धारित किया गया कि “डोमेस्टिक हनकारी” में जांचकर्ता किसी साक्षी को उपस्थित होने के लिए बाध्य करने के लिये प्रभावी कदम नहीं उठा सकता। ए.आई.आर. 1976 सुप्रीम कोर्ट पृष्ठ 2037 के मामले में मत व्यक्त किया गया है कि यह असामान्य नहीं है कि सरकारी कर्मचारी जांच के दौरान साक्षीगण व प्रलेखों की लम्बी सूची इस उद्देश्य से पेश करते हैं कि जांच कार्यवाही लम्बी हो व भविष्य में मुकदमेवाजी का आधार बने। जब तक कि साथ्य जिसे कि जांच के दौरान नहीं किया गया हो ऐसी न हो जिससे कि प्रारूपिक स्थान के सिद्धांतों की प्रवृहसन होती है अथवा अन्तिम

निर्णय की प्रभावित करने सकती है, महत्वपूर्ण मन्त्री होगी। इस प्रकार उक्त व्यापक दृष्टिकोण से इस विधिक सिद्धांत के बारे में कोई विवाद नहीं है कि जांच के दौरान प्रलेखों की प्रतिलिपियां उपलब्ध न कराने से अथवा किसी साक्षी को साथ हेतु तलब न करने से द्वारा जांच की उद्दृता प्रभावित हुई है व प्रार्थी के हितों पर कोई प्रतिकूल प्रभाव पड़ा है विचार किया जाना होता है। इस बारे में भी कोई विवाद नहीं है कि जांच अधिकारी को व्यापालय के समान किसी साक्षी को साथ हेतु बाध्य करने की शक्तियां प्राप्त नहीं हैं। उक्त विधिक स्थिति को दृष्टिगत रखते हुए इस बारे में विचार किया जाना है कि प्रार्थी के द्वारा चाहे गये प्रलेखों की प्रतिलिपियां प्रार्थी को उपलब्ध न कराने से अथवा श्रीमति सरिता सिंह को बचाव में साथ हेतु प्रस्तुत न किये जाने से प्रार्थी के विवर जांच कार्यवाही प्रभावित हुई है अथवा उसके हितों पर विपरीत प्रभाव पड़ा है।

प्रार्थी ने प्रार्थना पत्र दिनांक 28-12-1994 के द्वारा दृष्टि संदर्भ - 4 से 8 में निम्न प्रलेख चाहे:—

क्रम संख्या-4 कर्वी नोट बुक, क्रम संख्या-5 अधीक्षक (मु.) एवं अधीक्षक (छ.) के कार्य क्षेत्र के ज्ञापन की प्रति, क्रम संख्या 6 बनवारी लाल शर्मा द्वारा बयान कि उसने “पहले भी किशन लाल परमामी को चिट्ठिया ले जाते देखा”। क्रम संख्या-7 प्रस्तुत किए गए पत्र कथित घटना में पाये गये समस्त पत्र को वितरण करवाकर उनके प्राप्तकर्ता से प्रार्थी के बारे में किसी प्रकार के प्रिय अथवा अप्रिय सम्बन्ध की रिपोर्ट की प्रति। क्रम संख्या-8 प्रारम्भिक जांच रिपोर्ट की प्रति।

प्रार्थी के विद्वान अधिवक्ता ने पोस्टल मैट्रियूलर बंड-7 रेलवे मेल सर्विस के नियम 28 व 29 की ओर अत्यान आकृष्ट किया है। नियम 28 में दैनिक रिपोर्ट बनाये जाने के बारे में व नियम 29 में महत्वपूर्ण अनियमितताओं जिनमें घैलों का दुरुपयोग भी सम्मिलित है, के बारे में प्रावधान है। कर्वी नोट बुक में महत्वपूर्ण अनियमितताओं को नोट किए जाने व दैनिक रिपोर्ट में उसका उल्लेख किये जाने के बारे में प्रावधान है। जांच रिपोर्ट में उल्लेख किया गया है कि कर्वी नोट बुक ब्रांच बाइज टैयार की जाती है त कि प्रत्येक छंटाई सहायक के द्वारा। अतः प्रार्थना पत्र के क्रम संख्या-3 व 4 में वर्णित कर्वी नोट बुक एक ही प्रलेख है पृष्ठ-पृष्ठक नहीं है व न ऐसा प्रार्थी के विद्वान अधिवक्ता ने तर्क दिया है कि कर्वी नोट बुक पूर्ण थी। कर्वी नोट बुक की प्रतिलिपि प्रार्थी को उपलब्ध नहीं कराई गई इस बारे में कोई विवाद नहीं है। जांच रिपोर्ट में उल्लेख किया गया है कि कर्वी नोट बुक उपलब्ध नहीं थी, अतः यह नहीं कहा जा सकता कि कर्वी नोट बुक उपलब्ध होते हुए प्रार्थी को उपलब्ध

नहीं कराई गई। कस्ती नोट बुक के आधार पर दैनिक रिपोर्ट तैयार किए जाने का प्रावधान नियम 28 में है, जिसकी मूल प्रति का प्रार्थी के द्वारा दिनांक 31-3-95 को अवलोकन किया गया था व उसकी सत्यापित कोटो प्रति भी प्राप्त की गई थी। दैनिक रिपोर्ट को बनवारी लाल शर्मा के द्वारा प्रमाणित भी किया गया था कि उसने रफ नोट बुक के आधार पर रिपोर्ट तैयार की थी। उक्त परिस्थितियों में यह निष्कर्ष नहीं निकाला जा सकता कि कस्ती नोट बुक की प्रतिलिपि उपलब्ध न कराने से जांच में प्रार्थी का बचाव प्रभावित हुआ है। प्रलेख संख्या-5 के बारे में जांच अधिकारी ने उल्लेख किया है कि अधीक्षक (मुख्यालय) रेल डाक सेवा "जेपी" मंडल एवं अधीक्षक (छंटाई) जयपुर रेल डाक सेवा के नियम के ज्ञापन की प्रति प्रत्येक कर्मचारी को देने का प्रस्तुत मामले से संबंध नहीं है। मामले की गंभीरता को देखते हुए अधीक्षक (छं.) को यह बताना संभव नहीं था, क्योंकि अधीक्षक (छं.) के निवास स्थान पर टेलीफोन नहीं था। इस बारे में कोई विवाद नहीं है कि अधीक्षक (मु.) व अधीक्षक (छं.) दोनों ही पदाधिकारी प्रार्थी से उच्च पद पर पदस्थापित थे। रात्रि का समय था व अधीक्षक (छं.) को सूचना देना संभव नहीं था, अतः अधीक्षक (मु.) रामचन्द्र भीणा को टेलीफोन से सूचित किया, जिस पर वे कार्यालय आये व प्रार्थी से बैग के बारे में जानकारी की व बैग को प्रार्थी व अन्य कर्मचारियों की उपस्थिति में खुलाया तो उसमें डाक के कुश 66 पत्र निकले। प्रार्थी ने अपने प्रार्थना पत्र में स्वीकार किया है कि अधीक्षक (मु.) व अधीक्षक (छं.) दोनों हो पद समानान्तर हैं। प्रार्थी को अधीक्षक (मु.) के कार्यसेवे के ज्ञापन की प्रति उपलब्ध नहीं कराने से जांच प्रभावित नहीं होती। वैसे भी बहस के दौरान प्रार्थी के विद्वान अधिवक्ता ने ऐसा तर्क नहीं दिया है कि अधीक्षक (मु.) को उक्त कार्यवाही करने का अधिकार नहीं था।

प्रार्थना पत्र में क्रम संख्या-6 पर दर्ज प्रलेख को किसी प्रकार सुसंगत नहीं कहा जा सकता क्योंकि उक्त प्रलेख प्रार्थी के बिरुद्ध लगाये गये आरोप में संबंधित नहीं थे।

क्रम संख्या-7 पर दर्ज कोई के प्रलेख न तो उपयुक्त था व न ऐसे किसी प्रलेख पर जांच अधिकारी ने अपनी रिपोर्ट में धरोसा किया अतः प्रार्थी के द्वारा उक्त प्रकार के प्रलेखों की मांग करना असंबंधित था। प्रार्थना पत्र में वर्णित क्रम संख्या-8 के बाबत प्रार्थी के विद्वान अधिवक्ता ने बहस के दौरान जोर नहीं दिया।

श्रीमती सरिता सिंह सत्कालीन प्रबल अधीक्षक, रेल डाक सेवा "जेपी" मंडल, जयपुर को बचाव साक्षी के रूप में दो बार जरिये सम्मन तलब किया गया था। जांच अधिकारी ने उल्लेख किया है कि उसके उपस्थित

न होने के कारण उसकी साक्ष्य बन्द कर दी गई। श्रीमती सरिता निह आरोप में उल्लेखित तथ्यों से किसी भी प्रकार से संबंधित नहीं थी। प्रार्थी अधिकरण के समक्ष भी अपने बयान में यह नहीं बता पाया कि श्रीमती सरिता सिंह से व क्या प्रश्न पूछा जाता था। उसने कथन किया है कि उसके प्रतिनिधि ही प्रश्न पूछते जो जीवित नहीं हैं। श्रीमती सरिता सिंह प्रार्थी पर लगाये गये आरोप की घटना से संबंधित नहीं थी ऐसी परिस्थितियों में यह निष्कर्ष नहीं निकाला जा सकता कि श्रीमती सरिता सिंह की साक्ष्य बन्द करने से जांच की शुद्धता किसी भी प्रकार से प्रभावित हुई। यह भी उल्लेख करना उचित होगा कि श्रीमती सरिता सिंह को दो बार जांच अधिकारी के द्वारा तलब भी किया गया था व उसके उपस्थित न आने पर साक्ष्य बन्द की गई। जांच अधिकारी को उसे साक्ष्य में उपस्थित होने के लिए आध्य करने की शक्ति भी प्राप्त नहीं थी। ऐसी बात में श्रीमती सरिता सिंह की साक्ष्य बन्द करने से प्रार्थी के हितों पर कोई प्रतिकूल प्रभाव पड़ा ऐसा निष्कर्ष नहीं निकाला जा सकता।

उक्त विवेचन के आधार पर प्रार्थी के द्वारा चाहे गये प्रलेखों की प्रतिलिपियों न दिलाये जाने व तलब किए गए साक्षी की साक्ष्य बन्द करने को अनुचित नहीं कहा जा सकता व यह प्रमाणित नहीं होता कि प्राकृतिक न्याय के सिद्धांतों का हनन करते हुए, प्रार्थी के विरुद्ध जांच की गई व उचित बचाव के अवधार में उसे दबित रखा गया।

प्रार्थी के विद्वान अधिवक्ता ने यह भी तर्क दिया है कि प्रार्थी के द्वारा दुराचरण करने का कोई उद्देश्य नहीं बताया गया है कि "ब्योंकर" वह डाक को अपने निजी बैग में रखता। उनका यह भी तर्क है कि प्रार्थी के विरुद्ध यदि दुराचरण प्रमाणित भी भाना जाए तो भी तुलनात्मक रूप से उसे अधिक दिया गया है। जांच से प्रार्थी के द्वारा दुराचरण करने का आशय क्या था, यह तो स्पष्ट नहीं हो पाया, परन्तु उससे जांच की शुद्धता प्रभावित नहीं होती। निर्देश आदेश जैसाकि उल्लेख किया जा सका है यहीं तक सीमित है कि क्या प्रबल अधीक्षक रेल डाक सेवा "जेपी" मंडल, जयपुर के द्वारा प्रार्थी के द्वारा चाहे गये प्रलेखों की उपलब्ध न कराना व बचाव साक्षियों को को तलब न करना क्या उचित था? व यदि नहीं तो प्रार्थी किस सहायता को प्राप्त करने का अधिकारी है? अधिकरण का न्यायनिर्णयन का क्षेत्राधिकार केवल निर्देश तक ही सीमित है व इस विन्दु पर विचार नहीं किया जा सकता कि क्या दुराचरण की तुलना में प्रार्थी को दिया गया वर्णण अधिक है। वैसे भी माननीय उच्चतम न्यायालय ने 1908 एस.सी.सी. (एल एण्ड एस) 316 इस्पेक्टिंग असिस्टेंट कमिश्नर बनाम भारत अधिकार के मामले में यह अधिनियमरित किया है कि न्यायालय

दण्ड के प्राप्ति पर विचार नहीं करता जब तक कि दिया गया दण्ड ऐसा न हो कि कोई भी विवेकशील व्यक्ति इस प्रकार का दण्ड नहीं दे सकता था। प्रार्थी के दुराचरण के बारे में दिया गया दण्ड ऐसा प्रतीत नहीं होता कि प्रार्थी के दुराचरण के लिये कोई विवेकशील व्यक्ति उपरोक्त प्रकार का दण्ड नहीं दे सकता, अतः प्रार्थी कोई सहायता प्राप्त करने का अधिकारी नहीं है।

पंचाट की प्रतिलिपि केन्द्रीय सरकार को अधिनियम 1947 की धारा 17 की उपधारा (1) के के अन्तर्गत प्रकाशनार्थ प्रेषित की जाय।

ह. /-  
पीडीसीन अधिकारी

नई दिल्ली, 31 अक्टूबर, 2000

का.आ. 2513.—श्रीद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नवल डॉक यार्ड विशाखापत्तनम् के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट श्रीद्योगिक विवाद में श्रीद्योगिक अधिकरण, विशाखापत्तनम् के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-10-2000 को प्राप्त हुआ था।

[सं.एल.-14011/6/99-आई.आर. (डी.पू.)]  
कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 31st October, 2000

S.O. 2513.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal[Labour Court, Visakhapatnam, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Naval Dock Yard, Visakhapatnam and their workmen, which was received by the Central Government on 31-10-2000.

[No. L-14011/6/99-IR(DU)]  
KULDIP RAI VERMA, Desk Officer

#### ANNEXURE

IN THE COURT OF INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, VISAKHAPATNAM

PRESENT :

Shri K. Veerapu Naidu, B.Sc., B.L.,

Chairman & Presiding Officer,

Dated : 9th day of October, 2000

I.T.I.D.(C) No. 19/99

#### REFERENCE :

No. L-14011/6/99-IR(DU) dated 21-7-1999.

#### BETWEEN :

The General Secretary,  
Indian Navy Civilian Mazdoor Sangh (BMS)  
P 5115, Ashoka Park, Kancharapalem (PO)  
Visakhapatnam-530008. . . . Workman

#### AND

The Admiral Superintendent,  
Naval Dock Yard,  
Visakhapatnam-14.

... Management

This dispute coming on for final hearing before me in the presence of Sri A. V. Sambasiva Rao and Sri A. S. Rama Sarma, advocates for workmen and the Government Pleader for management, upon hearing the arguments of both sides and on perusing the entire material on record the court passed the following :

#### AWARD

1. This is a reference made by the Government of India under Sec. 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication of the following dispute :

“Whether the action of the management of Naval Dock Yard, Visakhapatnam by illegally deducting the Wages of the workmen employed in Centre No. 69 (Weapons Department) for 4 (four) days i.e. 26th, 27th, 29th and 30th August, 1997 though the workers have actually performed their duties during the above period is legal and justified ? If not, to what relief the concerned workmen are entitled ?”

2. The workmen in this case are the employees working in the Centre No. 69 (Weapons department) of Naval Dock Yard, Visakhapatnam in different capacities. The management deducted the wages in the pay packet for four days i.e. 26th, 27th, 29th and 30th August, 1997, even though they attended the office and did their work. The management did not issue any notice before deducting the wages nor asked for any explanation from the workmen and as such it is illegal. Therefore, the union made a complaint through letters and also before the Asst. Labour Commissioner (Central) but in vain. Hence the matter was referred to the Government. Hence this reference. Therefore, the workmen are claiming a sum of Rs. 46,074 with interest to the individual workmen as shown in the annexure.

3. The case of the management is that the union representing the workmen is not a recognised union. The dispute between the workmen and the management started when the management entrusted certain work to undergo training at Bombay and the aggrieved workmen created unrest and obstructed the work and failed to perform the work from 18th August, 1997 to 5th Sept., 1997. The management had dialogue with the workers of Centre No. 69 from 18th August, 1997 till 25th August, 1997 and ultimately a notice Ex. M3 dated 25th August, 1997 was displayed in the notice board that if the workmen in Centre No. 69 failed to do work their wages will be deducted. Inspite of the notice, the workmen did not perform their duties on 26th, 27th, 29th and 30th August, 1997 and consequently the wages were deducted for those four days. Thereafter the representatives of the workmen held negotiations with the management and it was decided between the representatives and the management that the workmen have to apply for leave out of 4 days and for the remaining two days out of 4 days the

wages will be cut. But the workmen did not apply for the casual leave for those two days. Therefore, the matter could not be settled, and the management also filed the conciliation proceedings which is marked as Ex. M2 dated 7-1-99.

4. Therefore, the disputed is with regard to the deduction of wages for four days, by the management on the ground that the workmen attended but failed to discharge the work allotted to them and as such the wages were deducted on the ground that no work no pay basis. Whereas, the workmen claimed that they attended and performed the work assigned to them.

(5) Before this Tribunal, the Joint Secretary, Civilian Mazdoor Sangh, who is representing the workmen is examined as WW1 and marked Exs. W1 to W12. On behalf of the management the Manager Weapons in Dock Yard, Visakhapatnam in Centre No. 69 is examined as MW1 and got marked Ex M1 to M7.

(6) Heard both sides.

(7) The following are the admitted facts between the parties. The workmen in numbering 87 in Centre No. 69 (Weapons department in the Naval Dock Yard, Visakhapatnam) were not paid the wages for four days on 26th, 27th, 29th and 30th August, 1997, for some of the workers 4 days wages were cut and for some others 3 days wages were cut and some other two days wages were cut and for some others one day wage was cut. The total number of workmen working in the Centre No. 69 are 103.

(8) The main grievance of the workmen is that they attended the duty and served for those 4 days and the deduction of wages for the four days or 3 days or 2 days of 1 day as the case may be, is illegal. Whereas the management complained that when they did not work the deduction of wages is proper and legal. However, the management through MW1 admitted in the cross-examination that the Admiral Superintendent, Naval Dock Yard, Visakhapatnam deducted the wages by following the procedure under the Payment of Wages Act and that notice was issued to the workmen individually before the wages were deducted and that they put the notice for the deduction of the wages in the notice board of Centre No. 69 and Ex. M3 is the copy of the notice. As could be seen from Ex. M3 General Notice dated 25-8-97 is as follows :

"It has been noticed that Personnel from C-69 are not doing the assigned jobs since 18th August, 1997. This is against the CCB conduct rules. For each day of not performing the assigned job eight days wages can be cut as per the above rule and wages act.

The personnel are therefore requested to resume the allotted work immediately failing which necessary action will be initiated."

(9) Therefore, from this Ex. M3 that there is no individual notice. It is a general notice displayed on the notice board. Coming to the point of non-performance of the assigned job by the individual workers in C. No. 69 and it gives the list of the employees that they did not perform the assigned job on

26th, 27th, 29th and 30th August, 1997. The management also filed Ex. M2 the conciliation proceedings which shows the failure of the conciliations or negotiations and both parties agreed for referring the matter for arbitration under the Provisions of the I.D. Act. Even the Joint Secretary of the workmen WW1 have stated that the conciliations have failed and through MW1, Ex. M4 the bunch of Xerox copies of daily progress sheets allotted to those workers on 26th, 27th, 29th and 30th August, 1997 are marked and the daily allocation book reveals the work assigned and Ex. M4 reveals the progress made by the workers. Through him also Ex. M5 the daily progress sheets prepared by one Mr. P. K. Roy, Supervisor, is filed and it relates to the four days 26th, 27th, 29th and 30th. Ex. M6 is the Xerox copy relating to the daily progress sheet dated 28th August, 1997. Ex. M7 is the work order for allocation of work which is compared with the original. Therefore, from the above said material, the management contended that 38 workmen have not worked on the four days, so their wages were deducted. MW1 admitted that the wages were deducted on the basis of the Payment of Wages Act. So the learned counsel appearing for the workmen contended that the Payment of Wages Act is not applicable because as per Sec. 1 Clause (6) of the Payment of Wages relates to over time wages claimed by workman on an average per month and that cannot be taken into account to determine the question as regards the applicability of the Act and the workman must get less than Rs. 1600 per month as wages. The Sec. 1 Clause (6) of the Payment of Wages Act is as follows :

"Nothing in this Act shall apply to wages payable in respect of a wage period which, over such wage-period, average (one thousand six hundred rupees) a month or more."

The Payment of Wages Act applies only to the payment of wages to persons receiving less than Rs. 400. However, under Sec. (9) of the said Act deductions may be made under Clause (b) of Sub-section (2) of Sec. 7 only on account of the absence of an employed person from the place or places where, by the terms of his employment he is required to work, such absence being for the whole or any part of the period during which he is so required to work. Thus, the said provision is based on the principle of no work no pay and that the said provision have no application to the workmen in this case for the reason that the wages for the workmen in this case would not be less than Rs. 400.

(10) However, it is stated in Ex. M3 that the personnel in Centre No. 69 are not doing the assigned job since August, 1997 which is against the CCS Conduct Rules. But the CCS conduct rules are not placed before this Tribunal. Further MW1 also did not state the procedure that is contemplated for deduction of wages in the case when the workmen did not perform the assigned work or the workmen failed to attend the work assigned to them. Admittedly the workmen have not gone on strike and their strike was held to be illegal. Further it is the case of the workmen that they have attended the place of work and they did the job assigned to them. But even if they failed to do the assigned work, the management

has to ask why they did not attend the assigned job. Admittedly there are no such individual notices are issued to individual workmen whose wages were deducted by the management. Ex. M3 is only a general notice displayed on the Notice Board and which is of no use. Further this Ex. M3, general notice discloses that the explanations are called for any of the workmen for their absence.

(11) It is also the case of the management that the negotiations held between the management and the workmen union and the representatives of the workmen have accepted for the deductions of the wages for two days and for taking leave of other two days. But no worker had applied for any leave for those two days. Therefore, 4 days deduction of wages have been effected. MW1 also stated the same. But there is no material in support of the said contention. Even Ex. M2 the conciliation proceedings do not disclose the same. Therefore, under the circumstances, the deduction of wages for the 4 days on 26th, 27th, 29th and 30th of August, 1997 by the management without issuing any individual notices is against the principles of natural justice and as such, the deduction of wages is illegal and the management shall pay the wages for those four days or the days for which the wages were deducted for each workman in Centre No. 69. Accordingly I answer the reference in favour of the workmen and against the management.

(12) In the result, the reference is answered by passing an award directing the respondent/management to pay the wages to the workmen for which they have not paid wages on 26th, 27th, 29th and 30th of August, 1997. However, there is no order as to costs and each party is directed to bear its own costs.

Dictated to steno, transcribed by her given under my hand and seal of the Court this the 9th day of October, 2000.

K. VEERAPU NAIDU, Presiding Officer

#### APPENDIX OF EVIDENCE IN I.T.I.D(C) 19/99 WITNESSES EXAMINED :

##### For Workman :

WW1 : DRS Satyanarayana.

##### For Management :

MW1 : Mahapatra.

##### Documents marked for Workmen :

- Ex. W1 : 15-10-97 : Letter to management by workmen reg. refund of illegal deductions.
- Ex. W2 : 20-10-97 : Letter to Asstt. Labour Commissioner (Central) Vsp.
- Ex. W3 : 4-3-98 : Letter to workmen by ALC(C) Visakhapatnam.
- Ex. W4 : 29-6-98 : Letter to ALC(C) Vsp. by workman.
- Ex. W5 : Minutes of joint discussions before ALC(C) Vsp. dt. 4-12-98.
- Ex. W6 : Minutes of joint discussions before ALC(C) Vsp. dt. 20-10-98.

- Ex. W7 : Minutes of joint discussions before ALC(C) Vsp. dt. 20-7-98.
- Ex. W8 : 9-10-98 : Letter to management by workman.
- Ex. W9 : Xerox copy of certificate of registration of Trade Union.
- Ex. W10 : Rules of Indian Navy Civilian Mazdoor Sangh, Vsp.
- Ex. W11 : Minutes of the conciliation proceedings held on 7-1-99.
- Ex. W12 : Annexure to the claim statement by the workmen.

##### Documents marked for Management :

- Ex. M1 : 1-9-97 : Notice of management asking the workman to perform their duties otherwise wages will be deducted.
- Ex. M2 : Minutes of conciliation proceedings held on 7-1-99.
- Ex. M3 : 26-8-97 : Notice issued by management reg. resume the allotted work.
- Ex. M4 : Daily progress sheets (1-28 sheets).
- Ex. M5 : Daily progress sheets (Sl. No. 5 to Sl. No. 8) four sheets in Ex. 4.
- Ex. M6 : Daily progress sheet of 28-8-97.
- Ex. M7 : Work allocation sheet.

नई दिल्ली, 31 अक्टूबर, 2000

का.आ. 2514.—श्रीधोगिक विद्याव अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आईनेस फैक्ट्री के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट श्रीधोगिक विद्याव में केन्द्रीय सरकार श्रीधोगिक अधिकारण, जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-10-2000 को प्राप्त हुआ था।

[सं.एल.०-14012/86/91-आई.आर. (डी.यू.)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 31st October, 2000

S.O. 2514.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Ordnance Factory and their workman, which was received by the Central Government on 31-10-2000.

[No. L-14012/86/91-IR(DU)]  
KULDIP RAI VERMA, Desk Officer

##### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

Case. No. R/199/91

Presiding Officer : Shri K. M. Rai

Shri R. K. Mehta,  
C/o B. D. Deselva, Advocate,  
18, South Civil Lines,  
Jabalpur.

Applicant

Versus

The General Manager,  
Ordnance Factory,  
Khamaria,  
Jabalpur. .... Non-applicant

## AWARD

Delivered on this 4th day of September, 2000

1. The Government of India, Ministry of Labour vide order No. L-14012/86/91-IR(DU) dated 31-10-91 has referred the following dispute for adjudication by this tribunal—

"Whether the action of the management of Ordnance Factory, Khamaria in terminating the services of Shri R. K. Mehta, Ex-LDC F-II section, w.e.f. 22-2-88 is justified? If not, what relief he is entitled to and from what date?"

2. The case for the workman in the case is that he was employed as LDC in the service of Ministry of Defence production, Ordnance Factory Board, Calcutta. After his appointment, he was posted as LDC in Ordnance Factory, Khamaria, Jabalpur. He was chargesheeted under rule-14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965. The following charges were framed against him—

(1) By failure to maintain absolute integrity, attempted theft of Government property.

(2) His conduct was unbefitting of a Government servant.

(3) The statement of imputation of charge as alleged was that on 20-12-85, the workman Shri R. K. Mehta was passing out of the factory Gate No. 4 at 5.25 P.M. At that movement of time his scooter No. MPQ-9944 was searched and 9 Nos. of 303 Live cartidges concealed in the stepni cover, were recovered by Sipahi Rajmani. These cartidges were recovered from the possession of the workman and therefore the chargesheet was served and the DE was conducted against him. The co-accused Shri T. R. Sahni was also chargesheeted for the said misconduct and after the DE, he was completely exonerated by the Enquiry Officer. The charges were denied by the workman. Infact the chargesheet was signed by the Dy. General Manager for and on behalf of the General Manager which is illegal as no such power for signing the chargesheet was delegated to the Dy. General Manager. The Disciplinary Authority of the workman was the General Manager and not the Dy. General Manager. In view of this fact, the whole enquiry is vitiated. On 26-8-86, the General Manager in the name of DGOF ordered a common proceeding and the Departmental action against the workman and the co-accused Shri T. R. Sahni in exercise of the powers conferred under Rule-18(1)(2) of the CCS (CCA) Rules. The General Manager also appointed Shri B. M. Gupta as Enquiry Officer. According to the provisions of the said rule, the General Manager was not competent to order for common Departmental Proceedings. Only DGOF can make such orders. In view of this fact, the chargesheet issued by the General Manager is absolutely illegal.

4. It is further submitted by the workman that the finding of Enquiry Officer Shri Gupta is illegal as his initial appointment was void. The Enquiry Officer submitted his Enquiry Report to the General Manager, OFK, Jabalpur who accepting the same, dismissed the workman from service. The same Enquiry Officer submitted his enquiry report in case of Shri Sahni to DGCF, Calcutta who exonerated Shri Sahni of the charges vide order dated 28-3-88. The report should have been submitted to DGOF, Calcutta for necessary orders in respect to the workman Shri R. K. Mehta and Shri Sahni jointly and not separately. Passing of different orders on the same date is contrary to law and against the natural justice. The General Manager OFK Jabalpur was not the competent authority to pass order in case of the workman. The workman preferred an appeal against this order but the Appellate Authority without applying the mind rejected the appeal. There is no evidence on record which shows that the workman had concealed the seized cartidges in the stepni cover of his scooter and those cartidges were seized from his

conscious possession. The workman had neither removed the said cartidges from OFK premises nor he had concealed them in the stepni cover. During the enquiry it was disclosed that one Ganesh Prasad, an employee of OFK had concealed the cartidges covered in a black cloth piece in the workman's scooter's stepni. This fact was never considered by the Enquiry Officer and the Appellate Authority. From the evidence on record also, the charges have not been proved against the workman. In view of all these facts, the dismissal order deserves to be set aside and the consequential benefits be awarded.

5. The case for the management is that on 20-12-86, while the workman was passing out of the factory through Gate No. 4, his scooter was checked at 5.25 PM and during the search 9 nos. of 303 cartidges were recovered from the stepni cover of the scooter. For this he was chargesheeted under rule 14 of the CCS (CCA) Rules 1964 for attempted theft of Government property. These charges were proved during enquiry and the Enquiry Officer found him guilty for the same. The Disciplinary Authority accepted the enquiry report and imposed the penalty of removal from service. The workman also preferred the appeal against order of removal and that he was dismissed. The enquiry was conducted properly according to rules and the workman was given ample opportunity to defend himself. The penalty for removal of service is proper in the circumstances of the case. No illegality has been committed in conducting the DE against the workman. He is therefore not entitled to get any relief as claimed by him.

6. Following issues have been claimed in the case and the findings thereon are given below :—

1. Whether the enquiry is just, proper and legal ?
2. Whether the management is entitled to lead evidence before this tribunal ?
3. Whether the charges of misconduct are proved on the facts of the case ?
4. Whether the punishment awarded is proper and legal ?
5. Relief and costs ?

7. Issues No. 1 & 2 : On 30-7-98, it was held by my learned Predecessor that the DE conducted by the management against the workman regarding his misconduct was just and proper. It has been specifically held that no prejudice has been caused to the workman. In view of this finding, these issues need no further consideration.

8. Issues No. 3 & 4 : The power of an Industrial tribunal to interfere in cases of dismissal cases of workman by the management are not unlimited and the tribunal does not act as a court of appeal and substitute its own judgement for that of the management. The tribunal can interfere where there is want of good faith, when there is victimisation or unfair labour practice, when the management has been guilty of the basic error or violation of the principle of natural justice and when on the materials before the court, the finding is completely baseless and perverse. In the instant case, it has to be decided as to whether the punishment of dismissal from service imposed by the management is disproportionate to the degree of guilt of the workman.

9. From the perusal of the report of the Enquiry Officer, it becomes abundantly clear that he had considered the evidence of the prosecution as well as defence reasonably. He has given proper reasoning and appreciation of the evidence of both the sides and thereafter came to the finding that the charge of theft of 9 Live 303 Cartidges committed by the workman proved. The seizer of the 9 Live 303 Cartidges have been admitted by the workman. In this connection, he has explained his ignorance about the existence of these cartidges inside the stepni cover of his scooter on the date of happening. He has also tried to explain that these cartidges might have been implanted by some other persons with some ulterior motive. To prove his defence one Babulal was examined before the Enquiry Officer by the workman as a defence witness. Shri Babulal claims to have seen one Ganesh Prasad concealing a black colour dirty

piece of cloth inside the steppi cover of the workman. He has also stated before the Enquiry Officer that he had asked Shri Ganesh Prasad as to whether he was leaving the premises on the scooter of the workman without proper permission. On this enquiry, Ganesh Prasad started abusing him. The other defence witness came to the knowledge of this fact through Babulal. The Enquiry Officer has considered the evidence of Babulal and found the unworthy of reliance. In such circumstance, this tribunal cannot question this finding of the Enquiry Officer as to why he did not believe the version of the defence witness. The Enquiry Officer has considered it and has given the reasonable finding on this point and found the charge proved against the workman. In no case, I find the finding of Enquiry Officer is absolutely baseless or perverse. In such a circumstance, I do not find it just and proper to interfere with the finding of the Enquiry Officer. The dishonest removal of the live cartiges from the army establishment is highly prejudicial to the security of the establishment. In such a situation, it shall not be proper to take a lenient view as far as the punishment of dismissal from service in the instant case is considered.

10. In view of the foregoing reasons, it is held that the charges of misconduct are amply proved against the workman and the imposition of punishment of dismissal of service of the workman by the management is just and proper. Issues No. 3 & 4 are answered accordingly.

11. Issue No. 5 : On the reasons stated above, the workman is not entitled to the reinstatement as claimed by him. The imposition of punishment of dismissal from service is just and proper. The reference is accordingly answered against the workman and in favour of the management. In the circumstances of the case, the party shall bear their own cost.

12. Copy of award be sent to Ministry of Labour as per rules.

Date :  
24-9-2000

K. M. RAI, Presiding Officer

नई विल्सो, 30 अक्टूबर, 2000

का.आ. 2515.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक प्रशिकरण/अम न्यायालय, जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-10-2000 को प्राप्त हुआ था।

[म. ए. १२०१२/३९८/९५-आई आर(बी-II)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 30th October, 2000

S.O. 2515.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of India and their workmen, which was received by the Central Government on 25-10-2000.

[No. L-12012/398/95-IR(B-II)]

C. GANGADHARAN, Under Secy.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

Case No. CGIT/LC/R/17/97

Presiding Officer : Shri K. M. Rai.  
Shri Praveen Kumar Jain rep. by  
Bank of India Staff Union.

Applicant.

Versus

Regional Manager,  
Bank of India,  
Jabalpur.

.. Non-applicant.

#### AWARD

Delivered on this 25th day of September, 2000

1. The Government of India, Ministry of Labour vide Order No. L-12012/398/95-IR(B-II) dated 7-1-97 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of Bank of India, Jabalpur region in deducting the wages of 469 days (leave period) from the pay of Shri Parveen Kumar Jain without giving him opportunity to explain his case is legal and justified? If not, to what relief is the said workman entitled?”

2. The case for the workman is that he was employed as a clerk-cum-cashier by the management on 22-10-93 at Balasi Branch, Khandwa region. In the year 1987, he suffered from spondilitis and for proper treatment he was transferred to Khamaria branch, Jabalpur in the year 1987 on his own request. Thereafter he was transferred to Jabalpur Main Branch on 29-2-90. Since service condition of the workman is governed by bipartite settlement/awards and under this settlement, the permanent employees are entitled for privileges such as casual leave of 12 days, 15 days sick leave and 1 day privilege leave for every 11 days of active service and extra ordinary leave etc. From 1-1-89 to 5-10-94, the workman availed leave for 469 days on various dates due to acute problem of spondilitis pain. The management arbitrarily and illegally misusing their power treated the said leave period as absence from duty and deducted salary after long time of his leave applications. He was not given any opportunity to explain cause of his absence from his duty. The period of leave was in the credit of workman and even then the management wrongly deducted the amount of salary treating the said period as absent from duty. In this way, the workman has been put to loss of about Rs. 80,000. The management cannot refuse to grant sick leave to the workman. The workman had represented several times in this connection and even then the management did not think it proper to send the reply of his representation. The order of the management is therefore liable to be set aside.

3. The case for the management is that the service condition of the workman is governed by Shastri Award/Desai Award and bipartite settlement. The entitlement of leave etc. has been enumerated in the award and settlements. The workman had never submitted medical certificate to prove that he was suffering from spondilitis for the treatment of which the leave was required. He was in the habit of remaining absent from the duty and after availing of the leave, he used to file the application for the grant of leave. For the total period of 80 days unauthorised absence, the workman never filed any application for sanction. The workman had also not submitted any application for the grant of leave during the period w.e.f. 19-2-90 to 5-10-94 for remaining absent from duty. As per provisions of Shastri Award, the workman cannot claim the leave as a matter of right. The decision to grant the leave solely rests with the management. The sick leave can be granted on production of a medical certificate acceptable to the Bank. After the medical examination by the Banks Doctor, the workman was not found to be suffering from acute spondilitis pain. At the same time no abnormality was detected. The workman tried to justify the absence from duty by producing false and fabricated medical certificate which was hardly reliable. The management has rightly deducted the amount from his salary for his unauthorised absence for a period of 469 days. The workman is not entitled to get any salary for this period.

4. The sole point for determination in this case is whether the workman is entitled to get his salary for the period of 469 days?

5. It is an admitted fact that the workman remained absent from his duty for a period of 469 days on various dates from 1-1-89 to 5-10-94 without giving prior intimation or application for grant of leave to the management. In

this connection, the contention of the workman is that he had 460 days leave to his credit and even then the Bank did not grant the same, in spite of submitting his application on various dates in respect thereof. His claim is that the Bank has illegally deducted about Rs. 80,000/- from the account of his salary without assigning sufficient cause. To substantiate his claim, he has quoted para 13.4 of the Bipartite settlement which reads as under:—

“If leave is refused or postponed the reason for the refusal or postponement as the case may be shall be mentioned in the order, and a copy of the order given to the applicant.”

6. In terms of provisions of bipartite settlement dated 19-10-66, every employee has to obtain the sanction from competent authority before proceeding on leave or absence in terms of para 13.2 of the settlement. The para 13.2 reads as under:—

“An employee who desires to obtain leave of absence, other than casual leave, shall apply in writing to the manager or any other officer appointed for the purpose. Such application shall be made not less than one month before the date from which the leave is to commence, except in urgent cases or unforeseen circumstances including illness when it is not possible to do so. The manager or the officer empowered by him in this behalf shall issue orders on such application as soon as possible and in cases of an urgent nature immediately.”

7. Para-13.5 of the settlement states as under:—

“No leave or extension of leave shall be deemed to have been granted unless an order to that effect is passed and communicated to the employee concerned.”

8. Para-13.6 of the settlement reads as under:—

“Leave of all kinds cannot be claimed as of right.”

9. In view of the aforesaid provisions of the bipartite settlement, it becomes clear that the employee has to get the leave sanctioned by the competent authority before he remains absent from his duty. If an employee fails to attend to his duty without sanction of leave of absence from the Competent Authority it shall be treated as unauthorised absence from the duty. If an employee fails to attend to his duty without sanction of leave of absence by the Competent Authority, the said absence shall be treated as unauthorised absence, without pay and allowances. It is mandatory for an employee to apply in writing for leave of absence. Unless such permission is given or leave granted, it cannot be said that the employee seeking leave can absent himself from duty in an unauthorised manner. Even when the employee is having sufficient leave in his credit, he cannot remain absent without employer's consent. He cannot claim leave of all kinds as a matter of right as per the provisions of bipartite settlement. Para 13.7 of the bipartite settlement states that an employee who overstays his leave shall not be paid us pay and allowance for the period he overstays. This logic is also applied in the case of remaining absent from duty without the sanction of leave by the competent authority.

10. In the instant case, from the perusal of record, it appears that the workman filed applications for the grant of leave after joining his duty and availing of the period of leave without any authority and without being granted by the competent authority of the bank. On the pretext of sickness, he used to remain absent without intimating the management and filing any application supported with medical certificate of unfitness issued by the doctor. It was his practice to produce the medical certificate of unfit and fitness on the same day when he used to join his duty in the Bank. In many more cases he applied for leave after a lapse of about 3 months subsequent to his report for duty. The workman did not submit medical certificate along with leave applications when he was purported to be sick. The management was justified in not considering his absence as sick leave even though he produced medical certificates whose authenticity could not be verified by the management during the period of sickness of the workman.

11. Para 11.4 of the bipartite settlement dated 17-9-84 states that all sick leave shall be granted on production of

the medical certificate acceptable to the Bank. The workman never applied according to the provisions of bipartite settlement and therefore the management was justified in treating him absent authorisedly from duty.

12. The workman had suffered from spondilitis pain. In support of his claim, he filed the medical certificate of his close relative who was Doctor in Nagpur. The medical certificate issued by the Doctor appears to be doubtful. The day the workman was declared fit from spondilitis he covered distance from Nagpur to Jabalpur by bus to join his duty. If any person is suffering from spondilitis, he cannot undertake such a long journey by road. This very fact goes to show that the medical certificate issued by the Doctor is devoid of any truth. It cannot be relied upon.

13. From the perusal of leave applications filed by the workman on different dates, it appears that on 29-6-91, all these applications were filed to the management. The workman could have easily intimated the facts of his illness to the management before he actually joined his duty after being fit, but he never thought it proper to intimate the management regarding his illness. The reason is best known to himself. This conduct proves the ingenuity of the applications filed by the workman.

14. The workman had filed application under Sec-33(C)(2) of the I.D. Act, 1947 before this tribunal for the payment of his wages. On 3-7-95, it was held by this tribunal that the workman cannot claim any kind of leave as a matter of right. It was further observed that the discussion of granting the leave solely rests with the management. This observation of the tribunal was not challenged by the workman. In view of this finding, the workman is not entitled to get any relief on the reference under I.D. Act, 1947.

15. The workman unauthorisedly remained absent from duty for 469 days. During this period he never performed his duty and therefore he is not entitled to receive any wage on the principle of “No work No Pay”. The management is fully justified in deducting his wages for the period of 469 days as his absence was totally unauthorised for which the responsibility rests on him only.

16. On the foregoing reasons the workman is not entitled to get any relief as claimed by him. The management is fully justified in deducting his salary for his unauthorised absence from duty for a period of 469 days. The reference is accordingly answered in favour of management and against the workman. Parties to bear their own cost.

17. Copy of the award be sent to the Government of India, Ministry of Labour as per rules.

Dated : 28-9-2000.

K. M. RAI, Presiding Officer

नई दिल्ली, 30 अक्टूबर, 2000

का.आ. 2516.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिड्डिकेट बैंक के प्रबंधितंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/अम न्यायालय, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-10-2000 को प्राप्त हुआ था।

[सं. एल-12011/37/98-आई आर(बी-II)]

सी. गंगाधरण, प्रबंध सचिव

New Delhi, the 30th October, 2000

S.O. 2516.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Syndicate Bank and their workman, which was received by the Central Government on 25-10-2000.

[No. L-12011/37/98-IR(B-II)]  
C. GANGADHARAN, Under Secy.

## ANNEXURE

BEFORE SRI R. P. PANDEY PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT 117/9 SECOND FLOOR HOTEL  
KISHOREE BUILDING SARVODAYA NAGAR  
KANPUR

Industrial Dispute No. 88 of 1999

Sri Ashok Mehta,  
Secretary,  
U. P. Bank Employees Union,  
58/45 Birhana Road,  
Kanpur

AND

The Dy. General Manager,  
Syndicate Bank,  
Regional Office,  
Naval Kishoree Road,  
Lucknow.

## AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its Notification No. L-12011/37/98 IR(B-II) dated 10-4-99 has referred the following dispute for adjudication to this Tribunal—

“Whether the action of the management of Syndicate Bank in not counting the service period from 22-3-79 to 8-4-79 rendered by Sri Bajnath Singh is legal and justified? If not, what relief the workman is entitled to?”

2. In the instant case after receipt of the reference registered notices were sent on 4-6-99 and 29-3-2000 to the union raising the industrial dispute for filing of the statement of claim in support of their claim, but neither the workman himself nor representative for the union turned up on the date fixed in the case. Ultimately on 14-8-2000 once again notice was sent to the Secretary U. P. Bank Employees Union 58/45 Birhana Road, Kanpur, but none turned up in the case on the date fixed in the case on 29-9-2000 nor the statement of claim was filed.

3. Therefore, the conduct of the union and workman shows that they are not interested in pursuing the present dispute.

4. In view of above discussions the tribunal is left with no other option but to hold that the workman is not entitled to any relief for want of pleadings and proof.

5. Reference is answered accordingly.

R. P. PANDEY, Presiding Officer

नई दिल्ली, 30 अक्टूबर, 2000

का.आ. 2517.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इनियन बैंक और इंडिया के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम व्यायालय, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-10-2000 प्राप्त हुआ था।

[सं. एल.-12011/50/98-आई.आर. (बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 30th October, 2000

S.O. 2517.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Kanpur as shown in the

Annexure in the Industrial Dispute between the employers in relation to the management of Union Bank of India and their workman which was received by the Central Government on 25-10-2000.

[No. L-12011/50/98-IR(B-II)]  
C. GANGADHARAN, Under Secy.

## ANNEXURE

BEFORE SRI R. P. PANDEY PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, 117/9 SECOND FLOOR HOTEL  
KISHOREE BUILDING, SARVODAYA NAGAR,  
KANPUR U.P.

Industrial Dispute No. 84 of 1999

In the matter of dispute between—

Sri P. N. Shukla,  
Secretary,  
Union Bank Staff Association (UP),  
Union Bank of India,  
24/53 Birhana Road,  
Kanpur

AND

The General Manager,  
Union Bank of India,  
Zonal Office Kapurthala Complex,  
Aliganj, Lucknow.

## AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its Notification No. L-12011/50/98-IR(B-II) dated 19-4-99 has referred the following dispute for adjudication to this Tribunal—

“Whether the action of the management of Union Bank of India Zonal Office, Lucknow in not giving the permission to the workmen Sri O. P. Tiwari and K. C. Pandey to appear in the test conducted on 29-6-97 for the post of Computer Operator is justified? If not, to what relief the said workmen are entitled to?”

2. In the instant case after receipt of the reference order neither any representative for the union raising the present dispute nor the workmen ever appeared in the case on date fixed despite the fact that registered notice for filing of the statement of claim was sent to the union on 4-6-99. As against it the management put in their appearance in the case. Thus from the conduct of the union and the workmen it appears that they are not interested in prosecuting their case any more.

3. In the circumstances this Tribunal is left with no other option but to hold that the workmen or the union is not entitled for any relief for want of pleadings and proof.

4. Accordingly, it is held that the concerned workmen are not entitled for any relief for want of pleadings and proof in pursuance to the present reference made to this Tribunal.

5. Reference is answered accordingly.

Dated : 16-10-2000.

R. P. PANDEY, Presiding Officer

नई दिल्ली, 2 नवम्बर, 2000

का.आ. 2518.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक और बड़ौदा के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक अधिकरण, गाँउरकेला के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-10-2000 की प्राप्त हुआ था।

[सं. एल.-12011/77/97-आई.आर. (बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 2nd November, 2000

S.O. 2518.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Rourkela as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workmen, which was received by the Central Government on 31-10-2000.

[No. L-12011/77/97-IR(B-II)]

C. GANGADHARAN, Under Secy.

## ANNEXURE

IN THE COURT OF PRESIDING OFFICER,  
INDUSTRIAL TRIBUNAL, ROURKELA

Industrial Dispute Case No. 3/98 (C)

Dated, the 25th July, 2000

## PRESENT :

Sri Alak Kumar Dutta,  
Presiding Officer,  
Industrial Tribunal,  
Rourkela.

## BETWEEN :

The Branch Manager,  
Bank of Baroda, Sector-19,  
Rourkela, Sundargarh.

... 1st party

## AND

1. Sushil Chandra Bag  
2. Dillip Kumar Das,  
Represented by Unit Secretary,  
All Orissa Bank of Baroda Karmachari Sangha,  
C/o. Bank of Baroda, Sector-19,  
Rourkela. ... 2nd party

## APPEARANCES :

For the 1st party : Sri A.K. Choudhury, Advocate

For the 2nd party : Sri N. C. Mohanty, Advocate

## AWARD

The following schedule of reference has been made by Government of India, Ministry of Labour for adjudication vide their No. L-12011/77/97-IR(B-II) dt. 10-3-98 :

"Whether the termination of Sh. Sushil Ch. Bag & Sh. Dillip Kumar Das w.e.f. 8-11-96 by the management of Bank of Baroda Rourkela Branch is legal and justified? If not, to what relief the said workmen are entitled?"

2. The claim of the 2nd party workmen in brief is as follows :

The Rourkela Branch of Bank of Baroda sent requisition to the District Employment Exchange to sponsor a list of 40 eligible candidates for empanelment & subsequent recruitment for the post of sweeper|canteen boy on leave vacancy. Persons from that list were called for that interview including these two workmen who were selected for empanelment. The said list was subsequently sent to the Regional Manager, Bank of Baroda, Bhubaneswar for its approval who accordingly approved the list. Then both the workmen were given appointment as casual sweeper|canteen boy and the management gave appointment letter to each of them. Since appointment they were doing work on rotation basis as per need of the 1st party management. They were being paid wages as per bank rule on pro-rata basis i.e. 1/30th of wages drawn by a permanent sub-staff per month i.e. Rs. 61/- per day from 5-4-95 to 7-11-96. But suddenly on 8-11-96, their daily wages was reduced to Rs. 25/- per day without assigning any reason. Again while they were so working, the services of Sushil Bag and Dillip Kumar Das were terminated on 8-11-96 & 11-3-97 respectively. That both of them have worked continuously for more than 240 days & their services have been termina-

ted without giving any compensation as provided u/s 25F of the I.D. Act. Hence pray for reinstatement with back wages.

3. In reply, the contention of the 1st party management is, that the management placed indent to the local employment exchange to sponsor few candidates for utilisation as job worker on requirement on day to day basis from time to time. Out of the sponsored candidates, after scrutiny bank prepared a list of some candidates including the 2nd party workmen. But they were never utilised continuously from the date of 1st engagement. Sri Bag was engaged for 60 days between April '95 to 31-3-96 & for 40 days between 1-4-96 to 30-9-96. He was no more engaged thereafter. Similarly Sri Das was engaged for less than 30 days between 1-4-95 to 31-3-96 & only for 10 days between 1-4-96 to 30-9-96 and no more. They were never empanelled against a particular vacancy. They were never issued with any appointment letters. They were given appointment on pro-rata basis and never paid Rs. 25/- per day. Sushil Bag was never engaged in sweeping the compound or for gardening. None of them have worked for more than 240 days continuously & as such not entitled to any benefits u/s 25F of the Act. Hence prayer for rejecting the reference.

4. On the aforesaid pleadings, following issues have been framed :

I: Whether the termination of Sh. Sushil Ch. Bag and Sh. Dillip Kumar Das w.e.f. 8-11-96 by the management of Bank of Baroda, Rourkela Branch is legal and justified?

II: If not, to what relief the said workmen are entitled?

5. Issue Nos. I & II :—Both the issues are taken up together as both are interlinked. W. W. 1 is Dillip Kumar Das. He states that he joined the bank on 10-4-95 after facing an interview. Ext. 1 is the intimation given to him by the bank for his empanelment from 10-4-95 to 7-11-96. He was being paid daily wages on pro-rata basis of a permanent sub-staff starting from Rs. 60/-, Rs. 65/-, Rs. 70/- & Rs. 75/. But suddenly on 8-11-96 his daily wages was reduced to Rs. 25/-. He was receiving payment once in a week. The bank had issued a pass book to him in which entries were being made about number of days he worked. Payment was being made to him through bank voucher. He was not being issued any copy of such voucher. Finally he was not allowed to work any more from 11-3-97. No compensation was paid while he was denied work. He states that he worked continuously from 10-4-95 to 11-3-97. In cross examination he admits that receiving this letter, Ext. 1 he met the Bank Officer who only verified his certificates and documents. He was engaged alongwith Sushil Bag when the bank required their service. He volunteers that in this way they were getting work for about 15 days in a month. He admits that both of them were getting engagement on the days there was vacancy and they were getting wages on pro-rata basis of a sub-staff in whose absence the vacancy arose.

6. W.W. 2 is the 2nd party workman Sushil Bag. He states that he joined the Bank of Baroda, Sector-19 branch as sweeper-cum-canteen boy in Nov. 1994. He again states that after his interview in Nov. 1994 he joined bank in March '95. He and Dilip were called for interview on 5-4-95 vide Ext. 1 & 2 and attended the interview & were again selected & continued to work. He & Dilip were sweeping the bank office & doing garden work. He was getting Rs. 61/- per day on each day including Sunday & receiving the amount once in a week. The bank had issued a pass book to him & his each day of work was being entered in that pass book & the Manager was putting the signature. At the end of the week, the Bank Manager calculating the number of days he worked giving him payment. He was doing garden work for Rs. 25/- a day & receiving payment at the end of the week through voucher. As regards garden work, another book was being maintained in which the period of work & payment has been reflected. He claims that that book is now in his possession. In April 1996 the Bank Manager told him and Dilip about cancellation of their appointment & from that date they were not allowed to work. No compensation was paid nor any notice was issued. In cross examination he admits that Bank Manager had told him to come in the office daily &

thereof there would be any work I would do it or else he would go away. So he was doing work in the bank whenever the Manager was asking him to do and not every day.

7. M.W. 1 states that both the 2nd party workmen were working as casual canteen boy & sweeper against leave vacancy as casual worker. Sushil Bag worked for 60 days between April 1995 to March 1996 and for 40 days, between April 1996 and September 1996. Dillip Das worked for 30 days between April 1996 and September 1996. They never worked continuously against the permanent vacancy. The Branch Manager or any staff of Sector-19 branch have got no authority to recruit any persons in any post against permanent or temporary vacancy. He admits that the service conditions of all permanent & temporary workmen are guided by Sastri Award. But it is not applicable for casual worker. They were paid wages by way of voucher. He denied issue of pass book to them, as claimed by them. He denies that each of them has worked for 240 days before termination.

8. Admittedly both of them were working in Bank of Baroda Sector 19 branch. They are no more in service. So the question is whether their termination is illegal and whether they are entitled for any relief. The learned representative of the workmen submits that both the workmen have worked continuously for 240 days & as such they are entitled to the benefits u/s 25-F of the Act. He further submits that both the workmen are guided by Sastri Award & their services have been terminated violating certain clauses of the Shastri Award for which the termination is illegal. On the other hand, the learned representative of the management submits that the date of termination of Dillip Das as per the schedule is 8-11-96 whereas evidence has been led and averments made in the claim statement that he was denied work from 11-3-97. Further as per the schedule Sushil Bag was denied work from 8-11-96 but evidence given that his service was terminated from April 1996. So both have not proved when actually their services were terminated. Further they have not proved at all that each of them have worked for 240 days so as to attract the provision of section 25-F of the Act. He further submits that Shastri Award has no statutory force & workmen have not proved the violation of which clauses of that award would make their termination illegal.

9. In the schedule of reference it is clearly mentioned that the services of both were terminated on 8-11-96. But in the claim statement it has been availed in para-10 that the service of Sushil Bag was terminated on 8-11-96 & of Dillip Das on 11-3-97. Evidence has been led in that way. Further Sushil Bag has deposed that his service was terminated in April 1996. It is not proved clearly when their services were terminated.

10. The 2nd party has not led any evidence that each of them have worked for 240 days. Both have stated that they were issued pass books by the bank in which number of each day they worked & payment given have been reflected. W.W. 2 Sushil Bag has categorically stated that pass book is now in his possession. This is the best piece of evidence to prove that Sushil Bag has worked for 240 days but surprisingly that pass book has not been exhibited and no reason assigned for not doing so. On the other hand Dillip Das has stated that they were getting work for about 15 days in a month, only on days of vacancy. W.W. 2 also admits that he was getting work whenever there was any work to do & not every day. That means, they were not getting work every day & they were getting work only when there was any vacancy. So this much is clear that they were not appointed against permanent vacancy. But only against leave vacancy. In Ext. 1 & 2, it is clearly mentioned that they were to work as casual worker. Lastly it is not proved that violation of any clauses of the Shastri Award will make the termination illegal.

11. From the above discussion, I come to the conclusion that there is no proof that the 2nd party workmen have worked continuously for more than 240 days. Their date of termination is also not proved. Hence they are not entitled any relief.

ALAK KUMAR DUTTA, Presiding Officer

नई दिल्ली 2 नवम्बर, 2000

का.आ. 2519:—श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केंद्रीय सरकार वैकाश और बड़ीबाद के प्रबन्धतंत्र के संबंध नियोजनों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट श्रौद्धोगिक विवाद में श्रौद्धोगिक अधिकारण, राउरकेला के पंचाट को प्रकाशित करती है, जो केंद्रीय सरकार को 31-10-2000 को प्राप्त हुआ था।

[सं.प्र. 12011/8/99-आई.आर. (बी-II)]

सी. गंगाधरन, अवर मन्त्री

New Delhi, the 2nd November, 2000

S.O. 2519.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Rourkela as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workmen, which was received by the Central Government on 31-10-2000.

No. L 12011/8/99-IR(B-II)  
C. GANGADHARAN, Under Secy.

#### ANNEXURE

IN THE COURT OF PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, ROURKELA

Industrial Dispute Case No. 9/99(C)

Dated, the 31st July, 2000

#### PRESENT :

Sri Alak Kumar Dutta,  
Presiding Officer,  
Industrial Tribunal,  
Rourkela.

#### BETWEEN :

The Branch Manager,  
Bank of Baroda, Sector-19,  
PO. Rourkela-5, Sundargarh ... 1st party

#### AND

The Unit Secretary,  
Orissa State Bank of Baroda,  
Employees Union, C/o Bank of Baroda,  
Sector-19, Rourkela,  
Distt : Sundargarh ... 2nd party

#### APPEARANCES :

For the 1st party	... Sri G. B. Bhuyan Sri. B. M.
For the 2nd party	... Sri S. Mitra, Unit Secretary

#### AWARD

The Govt. of India in the Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of section 10 of the I.D. Act have referred the following disputes for adjudication vide No. L-12011/8/99-IR(B-II) dated 18-6-99 :

“Whether the demand of the Orissa State Bank of Baroda Employees Union for allowing clerk-cum-cashier with assigned job or ALPM Operator to act as Head Cashier category E on the basis of branch wise seniority is justified ? If so, what relief the concerned workmen are entitled ?”

2. The claim of the 2nd party workmen in brief is as follows :

The 2nd party workmen are the employees of Bank of

of Baroda, 1st party management. The 2nd party workman Sri S. K. Mitra was appointed in the clerical cadre of bank service in the substantive post, of cashier-cum-clerk. After introduction of Advanced Ledger Posting Machine clerks were allowed to work as A.L.P.M. Operator, in addition to their duties as cash clerk and for this addl. work, special allowance was paid. Sri Mitra was assigned the addl. duties of ALPM Operator on or about 22-1-98. The post of Head Cashier Category 'E' is however available only to the cash designated clerical staff and it also carries special allowance. Sri Mitra at the relevant time was the Sr. Most amongst the cash designated clerks at Rourkela Branch of the bank and as such entitled to act as Head Cashier category 'E' on temporary basis in absence of the said officers for which he is entitled to get special allowance. But the management refused to allow him to perform the duties of Head Cashier category 'E' on the ground that on being assigned the work of ALPM Operator is said to have been converted to be a non cash designated post and as such no more eligible to perform the duties of Head Cashier category 'E' in his absence. This action of the management is unjustified, arbitrary and unlawful. Hence prayer to declare that ALPM Operator with cash designated D and R eligible for selection to the post of Head Cashier category 'E'.

3. In reply, the management's contention in brief is as follows:—That the total staff of clerical cadre are divided into two compartments i.e. one section deals with cash and another deals with maintenance of accounts. That the head of the cash department is known as head cashier. That the bank introduced ALPM which replaced keeping of manual ledgers in the bank which is basically accounts work. The Zonal Office of the management issued circular stating that the cash clerk on assignment of duties of ALPM Operator is deemed to have been converted as accounts clerk and as such ALPM Operator cannot be considered for assignment of duties of Head Cashier category 'E'. That in case of temporary absence of the Head Cashier the Sr. Most persons of the cash department is given temporary assignment of head cashier with pro-rata allowance. This practice is still continuing. That as a matter of principles, person belonging to accounts section is not given the charge of head cashier. That Sri Mitra being assigned the additional duties of ALPM Operator is deemed to have been converted to account section and as such not eligible to perform the duties of Head Cashier temporarily.

4. On the aforesaid analysis, following issues have been framed:

- I. Whether the reference is maintainable?
- II. Whether the demand of the Orissa State Bank of Baroda Employees Union for allowing clerk-cum-cashier with assigned job of ALPM Operator act as Head Cashier Category E on the basis of branch-wise seniority is justified?
- III. If so, what relief the concerned workmen are entitled?

5. Issue No. II.—Only one witness on behalf of the workmen and on behalf of the management have been examined. W.W.1 states that he joined the bank as a cashier-cum-clerk on 22-1-98 the Advanced Ledger Posting Machine was introduced in their bank. He and seven others were selected to operate those machines. After his selection he is operating that machine. The post of head cashier 'E' category carries monthly allowance of Rs. 906 and the post of computer operator, it is Rs. 633. In case of vacancy of the post of head cashier, the Sr. Most cash clerk is allowed to officiate in that post. This arrangement has been made as per the settlement with the recognised union. Whenever required, the management utilises his service as a cash clerk. But whenever the post of head cashier falls vacant, he is sometimes asked to work in that post and some times never called though he is the Sr. Most cash clerk after the head cashier. Whenever he is not asked to officiate as head cashier a cash clerk junior to him works in that post. In the month when he works as head cashier he gets allowance of head cashier & does not claim allowance as computer operator. On 26-2-98 he was asked to work as head cashier in his absence but again on that date after some time he was asked to hand over the cash key to his junior Mr. S. Toppo vide Ext. 1. He proves Ext. 2 and information received by him on 10-3-98 to work as cash clerk. He says that he may be

allowed to work as computer operator as a full time job and his service should not be utilised in the cash department or else if his service is utilised in cash department then his seniority in the cash department should be retained. He admits that on many days after receiving Ext. 1 he has worked as head cashier. His claims that after he was selected as computer operator he worked as cash clerk as well as head cashier. He admits Ext. 3 as a circular issued by the management stating ALPM operator as accounts clerk & not eligible for the post of head cashier 'E' category.

6. M.W. 1 states that there are two categories of bank staff i.e. cash clerk & accounts clerk. At the request of the employees conversion are granted from cash section to account section only and vice-versa. There is a clause in the agreement that in case of exigencies a person transferred from cash section to account section can be asked to work in the cash section. He states that once a person accepts the post of computer operator he is entitled to get allowance & he will be deemed to have been converted to account department. He claims that when the post of head cashier 'E' category falls vacant temporarily and at the same time few cashiers also remain absent from the branch it became necessary for the branch manager to withdraw one computer operator to work in cash department for rendering normal cashier service and one who works in place of head cashier 'E' category, he is to get head cashier allowance on pro-rata basis. Since as computer operator he has been converted to account department he cannot work in the post of head cashier which is a post of cash department even though he is Sr. Most among all the cash clerks. When head cashier goes on leave the Sr. Most from cash department works in his place. He states that the seniority in the branch is not counted but only seniority among cash clerks are taken into consideration for the post of head cashier. He proves Ext. B which speaks about monthly allowance attached to the post of head cashier 'E' category which is more than the post of ALPM operator. Ext. C indicates that only in case of exigency ALPM Operator can be asked to work in cash department. He states that an employee of the cash department converted to accounts department may work in the cash department in case of exigencies but cannot claim for the post of head cashier 'E' category lying vacant temporarily, since he is no more of the cash department. He admits that he has never come across a single case where an employee from cash section has been converted to account section without his consent. The assignment letter for the post of ALPM Operator did not indicate that once appointed as ALPM Operator he is deemed to have been converted into account section.

7. The learned representative of the 2nd party submits that at the time of initial assignment to work as ALPM Operator it was not intimated that on accepting this post, the person is deemed to have been converted to account section. Subsequently his consent was not obtained for such conversion. Even after working as ALPM Operator he has worked in cash section. He claims that circular of zonal office in this regard that a person accepting this post is deemed to have been converted as account clerk is not binding as such and Sri Mitra is still to be considered as cash clerk. On the other hand the learned representative of the 1st party submits that though in the assignment letter of computer operator it is not mentioned that accepting such assignment, he will be deemed to have been converted as account clerk but it is a well known established fact no employee can deny of having such knowledge.

8. M.W. 1 admits that at the request of the employees, conversion are granted from cash section to account section only and not vice-versa. The management has not proved that in the advertisement for the post of ALPM Operator there was mention of the fact that a cash clerk accepting this post is deemed to have been converted to account section. Had this been mentioned then a person giving application for that post are deemed to have given his consent for such conversion. Again Ext. 4 is the letter of appointment as ALPM Operator and relevant para-1 reads as follows:

"You are hereby advised that in addition to your duties/ function of cashier-cum-clerk, you are assigned to perform the duties of ALPM Operator with effect from the date of actual performance, until further instruction as Rourkela."

Ext. 4 does not say that due to his performing the duties of computer operator he is automatically converted as accounts clerk. Rather information is specific that in addition to his duties as cashier-cum-clerk he is to perform the duties of ALPM Operator for which he will be paid special allowance of Rs. 350 per month. Again as per Ext. B Sri Mitra was not absorbed as full time computer operator. In addition to his duties as cashier-cum-clerk he is burdened with his additional duties on payment of special allowance. So inspite of his acceptance of the duties of ALPM Operator which is a addl. duties, he is to continue as cashier-cum-clerk. Thereafter zonal office circular has been issued stating that by accepting the duties of computer operator a cash clerk is deemed to have been converted to accounts clerk. But in my opinion b'w a circular office cannot give such order because a cash clerk cannot be converted to accounts section without his consent. So a right has been given to a cash clerk for his conversion to account section only with consent. Without his consent, he cannot be so converted. But by this circulars this right has been snatched away from the cash clerk which is not proper and is violative of rules of natural justice. Once converted to account section means his promotion as head clerk category 'E' is totally blocked and this head clerk post carries allowance much more than the post of company operator. If a cash clerk finds that he has every chance of getting promoted to the post of head clerk might have ignored the post of computer operator as it will cause financial loss to him every month. Since there is chance of promotion to head clerk that is why this consent provision is there and without consent of the cash clerk he cannot be converted to account section. So at the time of initial advertisement or subsequently before conversion to accounts section, the concerned clerk should have been given a chance to give his consent whether he agrees for such conversion by accepting this operator post or not. That means the cash clerk would have been given a chance to give his consent for such conversion. Without asking for the same the management should not have automatically converted a cash clerk to account section in view of his performing the duties of computer operator. So the management should now give a chance to Sri Mitra and others of the cash clerk performing the duties of ALPM Operator to give their consent for such conversion. Only those who will give the consent, may be converted to account section and those who will not give consent may not be allowed to perform the duties of computer operator.

9. Issue Nos. I & III:—Here is a dispute concerning employment between employer and the employee, and as such it is an Industrial Dispute as found u/s 2-K of the Act for making a valid reference u/s 10(1) of the Act. The management does not opposed this. Therefore, the reference is maintainable under law and the 2nd party workmen who were cashier-cum-clerks when the duties of ALPM Operator were assigned to them are to be regarded as belonging to cash section and are as such entitled to the post of head clerk category 'E' on the basis of seniority.

ALAK KUMAR DUTTA, Presiding Officer

नई दिल्ली, 2 नवम्बर, 2000

का.आ. 2520.—प्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ बड़ौदा के प्रबन्धतंत्र के मंड़ब्लू नियोजकों और उनके कर्मकारों के बीच, अनुष्मध में निविष्ट प्रौद्योगिक विवाद में प्रौद्योगिक अधिकरण राऊरकेला के पंचाट बो प्रकाशित करती है, जो केन्द्रीय सरकार को 31-10-2000 को प्राप्त हुआ था।

[सं.प्रा. 12012/29/95-आई.आर. (बी.-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 2nd November, 2000

S.O. 2520.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Rourkela as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 31-10-2000.

[No. L-12012/29/95-IR(B-II)]  
C. GANGADHARAN, Under Secy.

#### ANNEXURE

IN THE COURT OF PRESIDING OFFICER,  
INDUSTRIAL TRIBUNAL, ROURKELA  
Industrial Dispute Case No. 145/97(C)/ 178/97(C)

Dated, the 4th August, 2000

#### PRESENT :

Sri Alok Kumar Dutta,  
Presiding Officer,  
Industrial Tribunal,  
Rourkela.

#### BETWEEN

Branch Manager,  
Bank of Baroda, Sector-19,  
Rourkela Distt. : Sundargarh.

Ist party

#### AND

Sri A. Dung Dung, represented by  
Unit Secretary, All Orissa Bank  
of Baroda Karmachari Sangha,  
Bank of Baroda, Sector-19, Rourkela  
Dist. : Sundargarh

2nd party

#### APPEARANCES :

For the 1st party—Sri A.K. Choudhary, Advocate.  
For the 2nd party—Sri N.C. Mohanty, Advocate.

#### AWARD

The Govt. of India in the Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of section 10 of the I.D. Act have referred the following disputes for adjudication vide No. L-12012/29/93 dated 3-1-97 :

"Whether the action of the management of the Sr. Branch Manager, Bank of Baroda, Sector-19, Rourkela by reducing scale of pay of Sri A. Dung Dung from 10-4-95 is justified? If not, to what relief the workman is entitled?"

2. The union representing Sri A. Dung Dung has made the claims which in brief is as follows:

Sri Dung Dung was engaged at Katcharu branch of the Bank on daily wages basis as peon continuously till 6-6-1992. On 15-8-91, the bank issued notification in leading newspaper asking for applications from persons who have worked as peon for more than 90 days in any branch of the said bank for filling up future vacancies of peon. Satisfying all the criteria, he applied on 20-8-91. Thereafter he continued to work as peon till 6-6-92 and then he was shifted to Rourkela branch on 8-6-92 to work also as peon on daily wages. The bank prepared a list of persons who had worked for more than 90 days and Sri A. Dung Dung's name was there in the list. From September, 1993 the bank decided to pay pro rata wages of a peon at the initial basis of Rs. 815. Subsequently due to pay revision his wages was revised to the minimum basic pay of Rs. 1600 with other benefits w.e.f. 1-1-1992. But suddenly in May, 1995 the Branch Manager, Rourkela Branch reverted him to a lower post of part time canteen boy on 3/4th scale of wages with a minimum basic of Rs. 1200. The bank issued him a letter of engagement as part time canteen boy on 18-7-95. This reversion to 3/4th scale of wages resulted in a loss of wages of Rs. 593 per month from April 1995. This reversion is illegal and unjustified. Hence prayer for giving the full scale with other reliefs.

3. In reply, the management's contention in brief is that Sri Dung Dung worked as casual peon from 28-3-90 to 6-6-92 in their Katcharu branch. Since he had completed 90 days as peon between 1-1-82 and 31-12-90 he was empanelled against future vacancy in subordinate cadre. The bank engages casual from time to time depending upon the requirement and paying the daily wages as per the hour of their utilisation. Sri Dung Dung was engaged at Katcharu branch for 7 and half hours a day and was paid wages accordingly. After he discontinued from Katcharu branch and due to his empanelment he was engaged in Rourkela branch against 3/4th year marked vacancy of a canteen boy requiring his service for 4 to 5 hours per day and paid wages accordingly on pro-rata basis w.e.f. 18-7-95. The management totally denies engagement of Sri Dung Dung on full time basis in Rourkela branch and further denies his getting wages having basic pay of Rs. 1600 at any time. The management claims that Sri Dung Dung was getting the basic pay of Rs. 1200 on pro-rata basis and as such his wages was never reduced.

4. On the aforesaid analysis following issues have been framed :

I : Whether the action of the management by reducing scale of pay of Sri A. Dung Dung from 10-4-95 is justified ?

II : If not, what relief the workman is entitled ?

5. Issue Nos. I and II :—Both the issues are taken up together as both are interlinked. The only question to be decided here is whether the pay of Sri Dung Dung was reduced or not because when Sri Dung Dung claims that the same was reduced from Rs. 1600 to Rs. 1200 (basic pay) the management be hemently denies it.

6. W.W. 1 is the 2nd party workman. He stated that on 28-3-90 he joined the Bank of Baroda, Katcharu branch as a peon. As per the circular dated 15-8-91 of the management regarding empanelment vide Ext. 1 he applied on 20-8-91 fulfilling all the criterias and was empanelled on 6-1-93 for further engagement as sub-staff on permanent basis. He states that he worked in Katcharu Branch till 6-6-92 and then joined in Rourkela branch on 8-6-92 in the same post i.e. casual peon. He received wages at the rate of Rs. 25 per day in Rourkela branch till August 1993 and then received Rs. 815 as basic pay per month excluding other allowances. He continued to receive this scale upto February 1995 and on the basis of a circular of the management his salary was revised fixing the basic pay to Rs. 1600 per month w.e.f. 1-11-92. On 10-4-95 the Branch Manager of Rourkela verbally asked him to work as a canteen boy and he worked as such from 11-4-95. On 18-7-95 the Regional Manager sent him a letter wherein he was directed to work as temporary part time canteen boy on 3/4th scale of wages of the sub-staff vide Ext. 3. From 11-4-95 he was being paid the basic pay of Rs. 1200. His other allowances were also reduced proportionately from that day. He sustained loss of Rs. 593 per month from April onwards. He denies that he started work in Rourkela branch from 18-7-95. W.W. 2, an employee of the 1st party management corroborates W.W. 1 in toto. He is the Asst. General Secretary of the said union. He admits that the canteen boy of the Bank of Baroda, Rourkela branch is declared as 3/4th yearmarked vacancy and the canteen boy is required to work for 4 to 5 hours only per day. He denies the suggestion that Sri Dung Dung did not work in Rourkela branch from 8-6-92. W.W. 3 also supports W.W. 1 stating that Sri Dung Dung worked in Katcharu branch till 6-6-92 and thereafter shifted to Sector-19 branch as temporary peon and he was given wages on pro-rata basis. That means he was given the salary of a sub-staff from August, 1993. He states that Sri Dung Dung received arrear from August 1993 to March 1995 vide Ext. 7 and 8. But suddenly without any intimation his basic pay was reduced from Rs. 1600 to Rs. 1200 from 10-4-95. He is the President of the union who filed complaint. He denies the suggestion that Sri Dung Dung joined the Sector-19 branch on 18-7-95. The post of canteen boy of sector-19 branch is a 3/4th year mark vacancy and Sri Dung Dung as such gets 3/4th wages of a sub-staff. W.W. 4, another employee of the said bank though corroborates Sri Dung Dung yet states that in June 1996 Sri Dung

Dung was issued with letter reverting him to the post of canteen boy at 3/4th scale of a sub-staff which is not proper and justified. He admits that 2nd party Sri Dung Dung is a casual labourer and casual labourer are never transferred and they work where there is vacancy.

7. M.W. 1 states that Sri Dung Dung is working in Bank of Baroda, Sector-19 branch since 18-7-95, as a part time canteen boy against 3/4th yearmark vacancy. He denies that Sri Dung Dung is working in Rourkela Branch since 7-6-92. He denies that Sri Dung Dung's scale was reduced from 10-4-95.

8. Although it is claimed by the 2nd party that he was transferred to Rourkela branch and joined there on 8-6-92 yet no transfer order has been filed. On the other hand, W.W. 4 states that a casual worker is never transferred and the 2nd party is also a casual worker. As regards working in sector-19 branch prior to 18-7-95 the 2nd party proves payment sheets marked as Ext. 4. But as I find the name of 2nd party is not there in any page and those sheets do not at all disclose payment of any amount to Sri Dung Dung. Moreover it is not proved that these sheets have been prepared by the management in its Rourkela branch. There is no documentary evidence that Sri Dung Dung at any time received basic pay of Rs. 1600. Only oral evidence is there. It can not be believed that official records are not available in that branch, showing payment of Rs. 1600 as basic pay, of Sri Dung Dung. As an employee of the bank he has received all his wages putting his signature on official records. Surprisingly he has not called for a single record from Sector-19 branch to prove that actually he was getting Rs. 1600 as basic pay at any time. Admittedly he is getting Rs. 1200 as basic pay at 3/4th scale of a sub-staff and that too from 18-7-95. There is not a iota of evidence to believe that Sri Dung Dung at any time was getting basic pay of Rs. 1600. Unless that is proved it cannot be said that his salary was reduced from Rs. 1600 to Rs. 1200. It is all along the case of the management that Sri Dung Dung was engaged as a part time canteen boy on 3/4th scale in Rourkela branch from 18-7-95 and getting basic pay of Rs. 1200 per month. Sri Dung Dung has totally failed to prove that he worked in this branch prior to 18-7-95 and was getting Rs. 1600 as basic pay per month. Therefore, reduction of pay does not arise. Accordingly he is not entitled to any relief.

ALAK KUMAR DUTTA, Presiding Officer

नई दिल्ली, 2 नवम्बर, 2000

का.आ. 2521 :—प्रौद्योगिक विद्याद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ग्रांफ महाराष्ट्र के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में, निर्दिष्ट प्रौद्योगिक विद्याद में केन्द्रीय सरकार प्रौद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पासट को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-10-2000 को प्राप्त हुआ था।

[सं.एल.-12012/380/97-आई.आर. (बी.-II)]

सौ. गंगाधरन, अवर सचिव

New Delhi, the 2nd November, 2000

S.O. 2521.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Maharashtra and their workman, which was received by the Central Government on 31-10-2000.

[No. L-12012/380/97-JR(B-II)]

C. GANGADHARAN, Under Secy,

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

Case No. CGIT/LC/R/33/98

Presiding Officer: Shri K. M. RAI

Shri Balkishen Sahare,  
At & Post Khamaria,  
Distt. Balaghat,  
C/o Union of the Maharashtra  
Bank Employees

Applicant

Versus

Regional Manager,  
Bank of Maharashtra,  
Jabalpur.

Non-applicant

## AWARD

Delivered on this 12th day of October, 2000

1. The Government of India, Ministry of Labour vide order No. 1-12/12/380/97(B-II) dated 26-2-98 has referred the following dispute for adjudication by this tribunal—

“Whether the action of the management of Bank of Maharashtra in terminating the services of Shri Balkishen Sahare w.c.f. 11-1-97 from the post of sub-staff is legal and justified? If not, to what relief the said workman is entitled?”

2. Parties filed application on 10-10-2000 praying for passing award as per the written settlement arrived at between them. The application was read over and explained to the parties and they accepted the terms thereof.

3. In view of the written settlement it is hereby ordered that the management, Bank of Maharashtra shall give fresh appointment to Shri Balkishen Sahare as part time sweeper w.e.f. the date of the award.

4. Parties shall bear their own cost.

5. Copy of the award be sent to the Government of India, Ministry of Labour for publication.

K. M. RAI, Presiding Officer

नई दिल्ली, 2 नवम्बर 2000

का.आ. 2522 :—श्रीयोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार न्यू इंडिया एन्ड वेस्ट कं. लिं. के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट श्रीयोगिक विवाद में श्रम न्यायालय धूले के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-10-2000 को प्राप्त हुआ था।

[म.एल.-17012/39/99-आई.आर. (बी.-II)]

सौ. गंगाधरन, अध्यक्ष सचिव

New Delhi, the 2nd November, 2000

S.O. 2522.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Labour Court, Dhule as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of New India Assurance Co. Ltd. and their workman, which was received by the Central Government on 31-10-2000.

[No. L-17012/39/99-IR(B-II)]

C. GANGADHARAN, Under Secy.

## ANNEXURE

BEFORE SHRI S. B. TARLE, JUDGE, LABOUR COURT, DHULE

Ref. I.D.A. 2/2000

## BETWEEN

1. Ministry of Labour,  
New Delhi.  
2. New India Assurance Co. Ltd.  
Dhule. .... Ist Party

## AND

Shri Manilal Gorakh Gaurav,  
Dhule. .... 2nd Party

Coram: Shri S. B. Tarle, Judge

## ADVOCATES:

(1) Shri C. P. Kulkarni for Ist Party.  
(2) Shri P. R. Bora for 2nd Party.

## AWARD

(Delivered on 31-7-2000)

This is a Reference received by this Court from Govt. of India, Ministry of Labour, New Delhi, under Cl. (d) of Sub-Section (1) and Sub-Section 2(A) of the Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) for adjudication of the Schedule as under:—

“Whether the action of the management of New India Assurance Co. Ltd., Dhule in terminating the services of Mr. Manilal Gorakh Gurav, w.e.f. 25-9-1998, as a sub-staff and to deny reinstatement and regularisation in service is legal and justified? If not, what relief the workman concerned is entitled to?”

After receipt of this Reference, notices were duly served to the parties. Accordingly, both the parties appeared in the Court. The 2nd Party has filed its Statement of Claim vide Exh. U-3. Thereafter, matter was fixed for filing Written Statement. But today the 2nd Party has filed pursis vide Exh. U-4 stating therein that, he does want to proceed further in the present Reference, and hence the same may be disposed off. Hence the following order.

## ORDER

1. The Reference is hereby disposed off for want of prosecution in view of the pursis filed by the 2nd Party vide Exh. U-4.
2. Case papers be filed.
3. No order as to costs.

S. B. TARLE, Judge

Dhule.

Date: 31-7-2000.

नई दिल्ली, 30 अक्टूबर, 2000

का.आ. 2523 :—श्रीयोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एपरपोर्ट श्रीयोगिक विवाद में निविष्ट श्रम न्यायालय धूले के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निविष्ट श्रीयोगिक विवाद में श्रम न्यायालय

नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-10-2000 को प्राप्त हुआ था।

[सं. एल-11012/15/97-आईआर (एम)]  
बी.एम. डेविड, अध्यक्ष सचिव

New Delhi, the 30th October, 2000

S.O. 2523.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal-cum-Labour Court, New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to the Airport Authority of India and their workmen which was received by the Central Government on 16-10-2000.

[No. L-11012/15/97-IR(M)]  
B. M. DAVID, Under Secy.

#### अनुबंध

समक्ष श्री के.एस. श्रीवास्तव : पीठासीन अधिकारी  
केन्द्रीय सरकार आईआरिंगिक अधिकरण : नई दिल्ली

श्री. विवाद संख्या : 157/98

श्रीमति कृष्ण देवी  
पत्नी श्री अर्जीत,  
32/60 ईस्ट मेहराम नगर, दिल्ली कैट,  
नई दिल्ली-110010

बनाम

मिदेशक विमानआश्रय,  
भारतीय विमानआश्रय प्राधिकरण (आई.ए.डी.),  
पालम विमानआश्रय, दिल्ली-110037.

उपस्थित : वादिनी पक्ष की ओर से कोई उपस्थित हुआ।

श्री संजीव गोहती प्रतिवादी पक्ष की ओर से उपस्थित हुए।

#### अधिनिर्णय :

केन्द्रीय श्रम मंत्रालय के आवेद संख्या एल-11012/15/97-आईआर. (एम) विनाकित 8-6-98 द्वारा यह आईआरिंगिक विवाद अंतर्गत धारा 10(1)(घ) व 10(क) आईआरिंगिक विवाद अधिनियम, 1947 निम्नलिखित विवादासपद प्रश्न के न्यायिन्यन हेतु प्रेषित किया है :

"Whether the claim of Smt. Krishna, Safai Karamchari/contract labour for absorption/regularisation of her services by the management of Airport Authority of India (IA Division) on the basis of Hon'ble Supreme Court judgment dated 6-12-96 in the case of Air India Statutory Corporation etc. Vs. United Labour Union and ors etc. is justified? If not, what relief the concerned contract labour/workman is entitled to and from what date?"

2. वाद के पंजीकृत किये जाने के पश्चात् पक्षकारों को वाद में अपना पक्ष प्रस्तुत करने हेतु नोटिस दी गई जिसके अनुपालन में पक्षकार उपस्थित हुए। वादी द्वारा कोई विवाद पक्ष प्रस्तुत नहीं किया गया हालांकि उसकी ओर से वाद पक्ष प्रस्तुत करने हेतु समय की मांग की गई

अंतिम बार दिनांक 25-5-2000 को भी वादी द्वारा वाद पक्ष न प्रस्तुत करके प्रार्थना पक्ष द्वारा समय की मांग की गई जिसे स्वीकार किया गया तथा 4-8-2000 आगली तिथि वाद पक्ष प्रस्तुत करने हेतु नियत की गई। वादी उक्त दिन न तो उपस्थित हुआ और न ही वाद पक्ष उसकी ओर से प्रस्तुत किया गया। इसी प्रकार 9-10-2000 को भी वादी उपस्थित नहीं हुआ और वाद पक्ष भी नहीं प्रस्तुत किया गया तथा ऐसी स्थिति में वादी के विशद् एकतरफा कार्यवाही के लिए आवेदा पारित हुआ तथा वाद को अधिनिर्णय दिये जाने हेतु सुरक्षित किया गया।

3. चूंकि वादिनी की ओर से कोई वाद पक्ष प्रस्तुत नहीं किया गया है अतः वाद में बिना कोई विवाद अधिनिर्णय पारित किया जाता है।

के.एस. श्रीवास्तव, पीठासीन अधिकारी  
दिनांक : 11-10-2000

नई दिल्ली, 30 अक्टूबर, 2000

का.आ. 2524 :—आईआरिंगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट आयोरिटी और इण्डिया, नई दिल्ली के प्रबंधताल के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्विट आईआरिंगिक विवाद में श्रम न्यायालय नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-10-2000 प्राप्त हुआ था।

[सं. एल-11012/16/97-आईआर (मिस)  
बी.एम. डेविड, अध्यक्ष सचिव

New Delhi, the 30th October, 2000

S.O. 2524.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal-cum-Labour Court, New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to the Airport Authority of India and their workmen which was received by the Central Government on 16-10-2000.

[No. L-11012/16/97-IR(M)]  
B. M. DAVID, Under Secy.

#### अनुबंध

समक्ष श्री.के.एस. श्रीवास्तव : पीठासीन अधिकारी :  
केन्द्रीय सरकार आईआरिंगिक अधिकरण : नई दिल्ली

श्री. विवाद सं. 155/98

श्रीमति कृष्ण देवी पत्नी श्री शाम लाल,  
आर. जे.एच-71/1, एच ब्लाक, राज नगर-II,  
पालम कलोनी, नई दिल्ली-110045

बनाम

एयरपोर्ट डायरेक्टर,  
भारतीय विमानआश्रय प्राधिकरण (आई.ए.डी.),  
पालम विमानआश्रय,  
नई दिल्ली-110037

उपस्थित: वार्दिनी पक्ष की ओर से कोई उपस्थित नहीं हुआ।

श्री संजीव रोहतगी प्रतिवादी पक्ष की ओर से उपरिधित हुए।

अधिनिर्णय:

केन्द्रीय श्रम मन्त्रालय के आदेश संख्या एल-11012/16/97 आई आर (एम) दिनांकित 18-6-98 द्वारा यह औद्योगिक विवाद अंतर्गत धारा 10(1)(घ) व 10(क) औद्योगिक विवाद अधिनियम, 1947 निम्नलिखित विवादास्पद प्रश्न के न्यायनिर्णयन हेतु प्रेषित किया गया है:

“Whether the claim of Smt. Krishna Devi, Safai Karamchari/contract labourer for the absorption/regularisation of her services by the management of Airport Authority of India (I.A. Division) on the basis of Hon’ble Supreme Court judgment dated 6-12-96 in the case of Air India Statutory Corporation etc. Vs. United Labour Union & others etc. is justified? If not, to what relief the concerned contract labourer/workman is entitled to and from what date?”

2. वाद के पंजीकृत किये जाने के पश्चात् पक्षकारों को वाद में अपना पक्ष प्रस्तुत करने हेतु नोटिस दी गई जिसके अनुपालन में पक्षकार उपस्थित हुए। वादिनी द्वारा कोई विवाद पत्र प्रस्तुत नहीं किया गया हालांकि उसकी ओर से वाद पत्र प्रस्तुत करने हेतु समय की मांग की गई। अंतिम बार दिनांक 26-5-2000 को भी वादिनी द्वारा वाद पत्र न प्रस्तुत करके प्रार्थना पत्र द्वारा समय की मांग की गई जिसे स्वीकार किया गया तथा 4-8-2000 अगस्ती तिथि वाद पत्र प्रस्तुत करने हेतु नियत की गई। वादिनी उक्त दिन न रो उपस्थित हुई और न ही वाद पत्र उसकी ओर से प्रस्तुत किया गया। इसी प्रकार 9-10-2000 को भी वादिनी उपस्थित नहीं हुई और न ही वाद पत्र प्रस्तुत किया गया तथा ऐसी स्थिति में वादिनी के विरुद्ध एकतरफा कार्यवाही के लिए आदेश पारित कुआ तथा वाद को अधिनिर्णय दिये जाने हेतु सुरक्षित किया गया।

3. चुंकि वादिनी की ओर से कोई वाद पत्र प्रस्तुत नहीं किया गया है अतः वाद में बिना कोई विवाद अधिनिर्णय पारित किया जाता है।

के.एस. श्रीबास्तव, पीठासीन अधिकारी

दिनांक: 11-10-2000

नई दिल्ली, 30 अक्टूबर, 2000

का.आ. 2525:—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार एप्रेसपोर्ट ऑडिओरिटी ऑफ इण्डिया, नई दिल्ली के प्रबंधनकाल के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ऑद्योगिक विवाद में श्रम न्यायालय, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-10-2000 प्राप्त हुआ था।

[सं. एल-11012/17/97-प्राई आर (एम)]

बी.एम. डेविड, प्रबंध सचिव

New Delhi, the 30th October, 2000

S.O. 2525.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal-cum-Labour Court, New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to the Airport Authority of India and their workmen which was received by the Central Government on 16-10-2000.

[No. L-11012/17/97-IR(M)]  
B. M. DAVID, Under Secy.

अनुबंध

समझ श्री के.एस. श्रीबास्तव, पीठासीन अधिकारी:  
केन्द्रीय सरकार औद्योगिक अधिकरण : नई दिल्ली

ओ. विवाद संख्या: 153/98

श्री नेपाल सिंह पुत्र श्री राम पाल,  
एस 313/3, ईस्ट महाराम नगर,  
नई दिल्ली

बनाम

निदेशक, विमानमाश्रय,  
भारतीय विमानमाश्रय प्राधिकरण (आई.ए.डी.)  
पालम विमानमाश्रय,  
नई दिल्ली-110037

उपस्थित: वादी की ओर से कोई उपस्थित नहीं हुआ।  
प्रतिवादी की ओर से श्री संजीव रोहतगी उपस्थित हुए।

अधिनिर्णय:

केन्द्रीय सरकार के श्रम मन्त्रालय के आदेश संख्या एल-11012/11/97/आई आर (एम) दिनांकित 8-6-98 द्वारा यह औद्योगिक विवाद अंतर्गत धारा 10(1)(घ) व 10(क) औद्योगिक विवाद अधिनियम, 1947 निम्नलिखित विवादास्पद प्रश्न के न्यायनिर्णयन हेतु प्रेषित किया गया है।

“Whether the claim of Shri Nepal Singh, Safai Karamchari/contract labour for absorption/regularisation of his services by the management of A.A.I. (I.A. Division) on the basis of Hon’ble Supreme Court judgment dated 6-12-96 in the case of Air India Statutory Corporation Vs. United Labour Union and Ora etc., is justified? If not, to what relief the concerned contract labourer/workman is entitled to and from what date?”

2. वाद को पंजीकृत करने के पश्चात् आदेश दिनांकित 31-8-98 द्वारा पक्षकारों को प्रपत्ते पक्ष वाद में प्रस्तुत करने हेतु नोटिस जारी की गई। वादी प्रथम किसी भी तिथि पर उपस्थित नहीं हुआ और न ही उसकी ओर से कोई वाद पत्र प्रस्तुत किया गया। दिनांक 31-3-2000 के आदेश द्वारा वादी को रजिस्टरेड पोस्ट (पंजीकृत डाक) द्वारा नोटिस भेजी गई जिसके फलस्वरूप वादी दिनांक 26-5-2000 को निश्चित तिथि पर उपस्थित हुआ तथा वाद में वाद पत्र प्रस्तुत करने हेतु समय दिये जाने के लिए प्रार्थना पत्र प्रस्तुत किया जो स्वीकार किया गया। तत्पश्चात वादी किसी भी तिथि 4-8-2000 व 9-10-2000 पर उपस्थित नहीं हुआ और न ही कोई वाद पत्र उसकी ओर

में प्रस्तुत किया गया। केवल प्रबंधतंत्र के अधिकृत प्रतिनिधि ही उपस्थित हुए। अतः आदेश दिनांकित 9-10-2000 द्वारा वादी के विशद् एक पक्षी कार्यवाही की गई तथा वाद अधिनिर्णय दिये जाने हेतु सुरक्षित किया गया।

3. चूंकि वादी की ओर से कोई वाद पत्र प्रस्तुत नहीं किया गया है अतः वाद में बिना कोई विवाद अधिनिर्णय पारित किया जाता है।

के.एस. श्रीवास्तव, पीठसीन अधिकारी

दिनांक: 11-10-2000

नई दिल्ली, 30 अक्टूबर, 2000

का.आ. 2526.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 विसम्बर, 2000 की उस तारीख के रूप में नियत करती है, जिसकी उक्त अधिनियम के अध्याय-4, अध्याय-5 और 6 (धारा 76 की उपधारा-(1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध हस्तियाणा राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

क्र.सं.	राजस्व ग्राम का नाम	हृष्टवस्त संख्या	जिला
1.	सोहना	187	गुडगांव
2.	मांचोली	205	गुडगांव
3.	लखदास	190	गुडगांव
4.	अट्टा	179	गुडगांव
5.	रायसीका	174	गुडगांव
6.	रोज़का	173	गुडगांव

[सं. एस-38013/43/2000 एस.एस.-I]

जे. पी. शुक्ला, उप सचिव

New Delhi, the 30th October, 2000

S.O. 2526.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st December, 2000 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the

said Act shall come into force in the following areas in the State of Haryana namely:—

S. No.	Name of Revenue Had Bast No.	District Village
1.	Sohana	187 Gurgaon
2.	Sancholi	205 Gurgaon
3.	Lakhwas	190 Gurgaon
4.	Atta	179 Gurgaon
5.	Rasika	174 Gurgaon
6.	Rozka	173 Gurgaon

[No. S-38013/43/2000-SS.I]

J. P. SHUKLA, Dy. Secy.

नई दिल्ली, 1 नवम्बर, 2000

का.आ. 2527.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 विसम्बर, 2000 की उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 अध्याय-5 और 6 (धारा-76 की उपधारा-(1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध हस्तियाणा राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

क्र.सं.	राजस्व ग्राम का नाम	हृष्टवस्त संख्या	जिला
1.	लालूवास	187	रेवाड़ी
2.	पांवोर	307	रेवाड़ी
3.	मूडला	186	रेवाड़ी
4.	साल्हावास	169	रेवाड़ी
5.	बकापुर	162	रेवाड़ी
6.	जलियावास	41	रेवाड़ी
7.	चिराहडा	39	रेवाड़ी
8.	बावल	37	रेवाड़ी
9.	खंड	38	रेवाड़ी

[सं. एस-38013/44/2000-एस.एस.-J]

जे. पी. शुक्ला, उप सचिव

New Delhi, the 1st November, 2000

S.O. 2527.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st December, 2000 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act

shall come into force in the following areas in the State of Haryana namely :—

S. No.	Name of Revenue Ha	Bast No.	District
	Village		
1.	Laduwas	187	Rewari
2.	Panchor	307	Rewari
3.	Bludla	186	Rewari
4.	Salawas	169	Rewari
5.	Bakhapur	162	Rewari
6.	Jaliawas	41	Rewari
7.	Chirhara	39	Rewari
8.	Bawal	37	Rewari
9.	Rudh	38	Rewari

[No. S-38013|44|2000-SS.I]

J. P. SHUKLA, Dy. Secy.

नई दिल्ली, 3 नवम्बर, 2000

का.आ. 2528.—उत्प्रवास अधिनियम, 1983 (1983 का 31) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री सुरेन्द्र सिंह, अनुभाग अधिकारी, श्रम मंत्रालय, नई दिल्ली को विनाक 30 अक्टूबर, 2000 (पूर्वाहन) से उत्प्रवासी संरक्षी-II मुम्बई के रूप में नियुक्त करती है।

[संख्या एस-11011/1/2000-उत्प्रवास]

एस. वी. कृष्णन, अवर सचिव

New Delhi, the 3rd November, 2000

S.O. 2528.—In exercise of the powers conferred by Section 3, Sub-Section (1) of the Emigration Act, 1983 (31 of 1983), the Central Government hereby appoints Shri Surendra Singh, Section Officer, Ministry of Labour, New Delhi as Protector of Emigrants-II, Mumbai with effect from 30th October, 2000 (F.N.).

[No. S-11011/1/2000-Emig.]

S. V. KRISHNAN, Under Secy.